



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We make Indiana a cleaner, healthier place to live

Frank O'Bannon
Governor

Lori F. Kaplan
Commissioner

100 North Senate Avenue
P.O. Box 6015
Indianapolis, Indiana 46206-6015
(317) 232-8603
(800) 451-6027
www.state.in.us/idem

TO: Members of the Environmental Quality Service Council

FROM: Lori F. Kaplan
Commissioner

DATE: September 5, 2002

SUBJECT: Commissioner's Report to the Environmental Quality Service Council

Greetings! Please find enclosed IDEM's Commissioner's Report to the Environmental Quality Service Council. Your packet includes information on the following topics:

- 1) Outreach, education, and assistance from July 1-31, 2002
- 2) Fees collected
- 3) Permit report cards
- 4) Permit charts
- 5) Selected news releases from July 1-31, 2002
(Please refer to our web page <http://www.IN.gov/serv/presscal?PF=idem&Clist=16> for additional news releases.)
- 6) Hand-outs for IDEM fees presentation
- 7) Hand-outs for storm water presentation
- 8) Hand-outs for hazardous air pollutant rule and five-year strategy presentation
- 9) Financial reporting on Environmental Management Permit Operation Fund

IDEM has issued all permit decisions within the statutory time frames for three years and five months consecutively. One drinking water permit was issued two days late in April 2002, breaking the long-running consecutive on-time period. I am pleased to report that IDEM is back on track issuing all permits on-time since April 2002. With the one exception, IDEM has issued a total of 9,258 permit decisions on-time since October 1998 through the end of July 2002.

I am pleased to announce that the entire Commissioner's Report to the Environmental Quality Service Council is also now available on the Internet at: <http://www.IN.gov/idem/permitreport>

Should you have any questions regarding this information, please do not hesitate to contact me at (800) 451-6027, press 100 and ask for extension 2-8611, or dial directly (317) 232-8611.



The Indiana Department of Environmental Management

Council September 5, 2002

Outreach, Education and Assistance July 1 – 31, 2002

list is not all inclusive, but illustrates some of the ways in which IDEM has worked cooperatively with businesses, communities and citizens. Many other informal and formal contacts occur daily.

Midwest States Risk Assessment Symposium

On July 24, Commissioner Lori Kaplan gave opening remarks at the Midwest States Risk Assessment Symposium in Indianapolis. The symposium gathered scientific experts from across the country to provide input for the development of Risk Integrated Systems of Closure (RISC) procedures. (For more information, contact Commissioner Kaplan at 317/232-8611.)

National Association of Conservation Districts

On July 15, Commissioner Lori Kaplan was part of a panel to kick-off the national annual meeting of the National Association of Conservation Districts. She spoke on the importance of partnerships in addressing continual progress in conserving natural resources. (For more information, contact Commissioner Kaplan at 317/232-8611.)

Indiana Black Expo 2002

IDEM volunteers staffed booths at the Indiana Black Expo, including the General Expo Hall and the Minority Health Fair. The expo was held in Indianapolis from July 18 - 21. IDEM's participation included distribution of environmental literature on various issues, such as source reduction and recycling, children's health, and air/land/water quality. The booths also included games and activities for children. (For more information, contact Karen Terrell at 317/233-6648.)

Minority Business Roadshow

Lydia Morton and Kimball Lloyd-Jones of IDEM Purchasing Dept. participated in a road show for Minority Businesses on July 16 in Indianapolis. This business fair was established to inform minority businesses of the necessary steps in order to do business with the state. (For more information, contact Patrick Quinn at 317/232-8175.)

Energy, Economics and Environment

On July 11, Victoria Cluck from the Air Programs Branch presented air quality information to teachers of grades K-12. The presentation was one of three American Electric Power's workshops on Energy, Economics and the Environment. The workshop gives continuing education credits to elementary and high school teachers. The July 11 workshop was held in South Bend. (For more information, contact Victoria Cluck at 317/233-5683.)

Tenaska Merchant Power Plant Public Hearing

Gurinder Sanai and Paul Dubenetzky conducted a public hearing regarding Tenaska's proposed merchant power plant near Petersburg on July 30. Over 100 people attended the hearing. (For more information, contact Paul Dubenetzky at 317/232-8217.)

Air Presentation

On July 26, Stacey Pfeffer presented the Protocol for Combining Federally Enforceable Permits to the CASE Coalition at Eli Lilly in Indianapolis. Participants in the conference call included environmental staff from GE, GM, B.P. Amoco, Eli Lilly, and Patton & Boggs. IDEM and U.S. EPA agreed on the protocol during the Title V program approval. (For more information, contact Joanne Smiddie Brush at 317/233-0185.)

Public Hearing to Redesignate Lake County to Attainment for PM10

Krista Gremos and Ken Ritter conducted a public hearing on July 18 in Gary to present a request to redesignate Lake County to attainment for Particulate Matter less than 10 microns in diameter (PM10). Comments were heard and will be incorporated into the request submitted to U.S. EPA. (For more information, contact Krista Gremos at 317/233-5680.)

Brownfields Assistance— Southwestern Indiana Regional Development Commission

Brownfields staff attended a meeting in Evansville with the Southwestern Indiana Regional Development Commission on July 9. Also in attendance were representatives from the Indiana Development Finance Authority, the Indiana Department of Commerce, and the Indiana Association of Cities and Towns. The purpose of the meeting was to inform the commission staff about the various forms of assistance available for brownfields redevelopment. They are planning to include brownfields in their Comprehensive Economic Development Strategy for the U.S. Department of Commerce. (For more information, contact Susan Tynes at 317/233-1504.)

Brownfields Assistance— Bloomfield

On July 9, Brownfields staff attended a meeting with a representative from the Indiana Development Finance Authority in Bloomfield with city and regional planning officials to discuss several brownfield sites that they are interested in addressing. In August, the group plans to submit an application for a Brownfields Assessment Grant for a former gas station/auto repair shop in Bloomfield. (For more information, contact Susan Tynes at 317/233-1504.)

Brownfields Assistance— Dugger and Wabash

On July 25, staff met with a representative from United Consulting Engineers and Architects to discuss the Brownfields Site Assessment Grant packages it is assisting the town of Dugger (two brownfield sites) and city of Wabash (Mafcote site) in preparing for the upcoming August grant round. The goal was to ensure the applications and scopes of work were generally in order since

the town and city are first time grant applicants. (For more information, contact Michele Oertel at 317/234-0235.)

Tools for Schools

Staff from the Office of Planning and Assessment gave a presentation on environmental issues in schools that included the Tools for Schools program to the Southern Educational Service Center on July 18. There were 25 maintenance staff in attendance. (For more information, contact Paula Smith at 317/233-1210.)

“Planet Patrol” Campers

On July 19, staff from the Office of Planning and Assessment gave a presentation to the “Planet Patrol” campers at Holliday Park in Indianapolis. The presentation was to 4th, 5th, and 6th graders. (For more information, contact Paula Smith at 317/233-1210.)

Mercury Exchange, Corydon, Harrison County

Staff co-hosted a Mercury Exchange with Cinergy in Corydon on July 18 at the Corydon Cinergy Office. The exchange yielded seven mercury thermometers, one mercury thermostat, and four ounces of mercury. (For more information contact Karen Teliha at 317/233-5555.)

Composting Field Day, Hamilton and Boone Counties

Recycling staff held a compost training field day for July 9, with over 40 people in attendance. Creative Landscaping in Noblesville demonstrated grinding, loader turning and screening. Lamb Farms, near Lebanon demonstrated the spreader truck, walking trailer and windrow turner. (For more information, contact Al Melvin at 317/233-5623.)

Ecology Booth, St. Joseph County Fair

Regional staff from the Office of Pollution Prevention and Technical Assistance (OPPTA) manned the Ecology Booth at St. Joseph County Fair on July 30. The information staff provided was concerning mercury, its hazards, how to do cleanups, what contains mercury, and proper disposal. In addition, staff also provided the same information regarding lead in the home and provided information regarding what programs OPPTA has to offer. (For more information, contact Jim Weingart at 219/245-4879.)

Wellhead Protection Compliance Assistance Workshops

The Ground Water Section hosted a workshop on July 18 in Avilla for systems that are not in compliance with the Indiana Wellhead Protection Rule, 327 IAC 8-4.1. The workshop concentrated on returning systems to compliance with the rule. (For more information, contact Martha Clark at 317/308-3388.)

Tips to Tread Lightly on Mother Nature this Summer

Summertime in Indiana means county fairs, canoe trips and time in the garden. But, before you break a sweat and the dog-day heat begins to bake us the Indiana Department of Environmental Management has a few tips to make your summer season a little cooler and a lot more earth friendly.

- **Enjoying the great outdoors this summer?** Whether it's Raccoon Lake or your neighbor's backyard, we can all make our camping experiences more environmentally friendly. For example, if you make a campfire, keep it to a minimum to reduce the amount of ash and pollution. Also, why not avoid new batteries every time you camp and try using rechargeable batteries for flashlights and radios? We can all do our share and remember the camper's Golden Rule: "Leave nothing but footprints. Take nothing but photographs and memories." For more information, contact Courtney Kasinger at (317) 232-8596.
- **Say No To Ozone!** Hot, stagnant weather and pollution can be an unhealthy combination for many Hoosiers. Ground-level ozone is formed by a chemical reaction between volatile organic compounds (VOCs) and oxides of nitrogen in the presence of sunlight and warm temperatures. High ozone levels pose significant health risks to the elderly, young children and people with pre-existing lung ailments, but even healthy adults may be affected. It's important that we reduce factors that contribute to the formation of ground-level ozone. IDEM and some local communities have programs in place that work to do just that! Log onto <http://www.IN.gov/idem/air/smog/index.html> to learn more about local ozone levels. For more information, contact Keri McGrath at (317) 232-8512.
**Also, don't forget to ask about the Midwest Hazecam.*
- **Learn to garden with less water!** We've all been told that we need to reduce the amount of water we consume on a daily basis. No more excuses for all of the green thumbs out there because Mother Nature has beaten many people to the punch. Many plants available in Indiana can thrive on neglect. Plus, you can still have a beautiful garden and landscape and not have to water it on a daily basis. Contact Courtney Kasinger at (317) 232-8596 to learn about xeriscaping practices and tips to reduce outdoor water use.
- **Make Your Home Friendly!** A friendly home isn't just for your family and guests but also for the environment! It's important to realize that our homes typically contain a number of hazardous wastes such as old paint cans, half-empty gasoline cans and lawn fertilizers. To reduce the opportunity for vapors to escape or a spill, these items need to be properly stored and disposed of. For more information, contact Courtney Kasinger at (317) 232-8596.
- **Special Note to Editors:** In an effort to reduce paper usage and cut-down on the state's long-distance telephone bill, IDEM will soon offer a new service for all news outlets to receive IDEM news via e-mail. Stay tuned for more information about IDEM's Listserve and how you can receive Indiana's environmental news by a simple click of your mouse. For more information, contact Courtney Kasinger at (317) 232-8596.



www.IN.gov/idem

For Immediate Release:
July 9, 2002

Contact: Keri S. McGrath
(317) 232-8512
kmcgrath@dem.state.in.us

IDEM Seminars to Assist Local Clean Water Efforts

With a little ingenuity and some guidance from the Indiana Department of Environmental Management, Hoosiers can turn federal grant money into healthy Indiana rivers, lakes and streams.

The Federal Clean Water Act Section 319 provides funding for projects that work to reduce water pollution resulting from land erosion, agriculture run-off and polluted storm water run-off. This type of pollution, called nonpoint source pollution, is caused by several diffuse sources instead of one source.

This June and July, IDEM will host several workshops across the state to present Section 319 grant requirements, answer questions about the application process and help applicants craft their grant submissions. The seminars are free and open to the public.

The Section 319 Nonpoint Source Grant Seminar for Northwest Indiana will be in Valparaiso on Thursday, July 11, from 10 to 11:30 a.m. EST at the Porter County Administration Building, 155 Indiana Ave., Room 309.

Projects funded using the grants are planned and implemented by the applicant, making the project a local effort to protect Indiana's lakes and rivers. IDEM can offer guidance if needed.

More than 300 projects statewide have received funding including educational programs, staffing, publications, planning, assessment, research and implementation.

For more information on Section 319 Nonpoint Source Program, log onto IDEM's Web site at http://www.in.gov/idem/water/planbr/wsm/Section319_main.html

-30-



News

<http://www.IN.gov/idem>

For Immediate Release:
July 10, 2002

Contact: Courtney Kasinger
(317) 232-8596
ckasinge@dem.state.in.us

IDEM Responds to Orebaugh Ditch Fish Kill

The Indiana Department of Environmental Management is today investigating a fish kill in Orebaugh Ditch in Madison County.

IDEM officials believe the source of the fish kill to be run-off from a fire that occurred at the Madison Avenue Transfer Station in Anderson early this morning.

Initial tests this morning showed low levels of dissolved oxygen (DO). The presence of DO is an indicator of good water quality and low levels of DO can indicate pollution in the water. IDEM emergency responders and Madison County Emergency Management Agency are working to help raise the DO levels by aerating the creek with air compressors and diffuser hoses.

The number of fish affected is being determined. IDEM will continue to monitor Orebaugh Ditch and its aquatic life.

IDEM joined the Indiana Department of Natural Resources, the city of Anderson Fire Department, the city of Anderson Water Works and the Madison County Emergency Management Agency at the scene.

-30-



For Immediate Release:
July 14, 2002

Contact: Courtney Kasinger
Office: (317) 232-8596
Pager: (317) 393-0179
ckasinge@dem.state.in.us

IDEM Calls Ozone Action Day for Fort Wayne Area

Relaxing inside with book is a good idea for tomorrow in the Fort Wayne area. IDEM has declared an OZONE ACTION DAY in Allen County for July 15. This is the area's ninth OZONE ACTION DAY this year.

An OZONE ACTION DAY means that a combination of high temperatures, strong sunlight, calm winds and air pollutants are expected to produce high concentrations of ozone at ground-level. Prolonged exposure to ground-level ozone can cause health problems including irritation to the respiratory tract, which could cause coughing and difficulty in breathing. Children, senior citizens and adults who are sensitive to respiratory problems are especially susceptible to the effects of ozone. Even healthy adults may experience these symptoms.

TIPS FOR BUSINESSES ON OZONE ACTION DAYS

- Consider shutting down operations that have a significant impact on ozone formation.
- Order lunch for all your employees instead of having several cars go out in the heat of day.
- Educate your employees about the causes of ozone and actions they can take to reduce it.

TIPS FOR ALL OF US ON OZONE ACTION DAYS

- Limit Driving: Carpool and group your errands into one trip.
- Take public transit: ride the bus or take the train. Avoid refueling on Ozone Action Days; if you must refuel, wait until after sundown.
- Drive the speed limit: driving 10 mph over the speed limit reduces gas mileage by 15% and produces more harmful emissions.
- Mow your grass less; avoid mowing on hot, sunny days.
- Avoid using small gas-powered engines, such as weed eaters and water recreation vehicles.
- Choose water-based paints, stains and sealers instead of oil-based products.
- Conserve energy in your home and workplace to reduce energy needs from power plants.

Ground-level ozone is formed when nitrogen oxides (NOx) and volatile organic compounds (VOCs) are "cooked" in the hot summer sun. NOx and VOCs are emitted from automobiles, lawn mowers, water recreation vehicles, gasoline fumes, some industry operations and other combustible engines.

For more information about ground-level ozone and forecasts specific to your region, log onto IDEM's Web site at <http://www.IN.gov/idem/air/smog/index.html>. You can also find out if an Ozone Action Day has been declared for your area by calling 1-800-631-2871.



www.IN.gov/idem

For Immediate Release:
July 15, 2002

Contact: Keri S. McGrath
(317) 232-8512
kmcgrath@dem.state.in.us

IDEM Calls Ozone Action Day for North Central Indiana

Relaxing inside with book is a good idea for tomorrow in the South Bend/Elkhart area. IDEM has declared an OZONE ACTION DAY in St. Joseph and Elkhart counties for July 16. This is the area's 11th OZONE ACTION DAY this year.

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- Mow your grass less; avoid mowing on hot, sunny days.
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-30-



www.IN.gov/idem

For Immediate Release:
July 15, 2002

Contact: Keri S. McGrath
(317) 232-8512
kmcgrath@dem.state.in.us

IDEM Calls Ozone Action Day for Northwest Indiana

Relaxing inside with a book is a good idea for tomorrow in the Northwest Indiana region. IDEM has declared an OZONE ACTION DAY in Lake, Porter and LaPorte counties for July 16. This is the area's ninth OZONE ACTION DAY this year.

An OZONE ACTION DAY means that a combination of high temperatures, strong sunlight, calm winds and air pollutants are expected to produce high concentrations of ozone at ground-level. Prolonged exposure to ground-level ozone can cause health problems including irritation to the respiratory tract, which could cause coughing and difficulty in breathing. Children, senior citizens and adults who are sensitive to respiratory problems are especially susceptible to the effects of ozone. Even healthy adults may experience these symptoms.

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-30-



For Immediate Release:

July 16, 2002

Contact: Courtney Kasinger

(317) 232-8596

ckasinge@dem.state.in.us

IDEM Awards Environmental Stars to 19 Indiana Drycleaners

Nineteen Hoosier drycleaners have earned stars in the Indiana 5-Star Environmental Recognition Program for Drycleaners. This recognition program awards stars to drycleaners for their efforts to protect Indiana's environment.

"It is so important to be conscientious when dealing with toxic chemicals," said Lori F. Kaplan, commissioner of IDEM. "By supporting these businesses or by asking your cleaners how they manage their chemicals, you send a message that human and environmental health is just as important as the services rendered."

Drycleaners use perchloroethylene, or perc, a chemical that is regulated by federal and state programs. Perc exposure can affect the nervous system, liver, kidney, skin and upper respiratory tract. It is being studied as a possible human carcinogen. IDEM, with support from the Indiana Drycleaning and Laundry Association, created the Indiana 5-Star Environmental Recognition Program for Drycleaners in 1995.

This awards program encourages drycleaners to focus on environmental issues such as: reducing hazardous waste generation, encouraging solid waste recycling, implementing energy conservation practices and recommending more efficient uses of perc.

Congratulations to these new 5-star facilities:

Classic Cleaners	6335 Intech Commons Dr., Indianapolis
Classic Cleaners	11135 Pendleton Pike, Indianapolis
Classic Tan & Laundry	8015 Pendleton Pike, Indianapolis

Congratulations to these facilities that have renewed stars:

40 Minute Cleaners	7017 S. Madison Ave., Indianapolis	4-stars
Armstrong Cleaners	48 South Eighth St., Richmond	5-stars
Armstrong Cleaners	616 E. Washington St., Winchester	5-stars
Classic Cleaners	7810 E. 96th St., Fishers	5-stars
Classic Cleaners	8150 Oaklondon Rd., Indianapolis	5-stars
Classic Cleaners	11202 Fall Creek Rd., Indianapolis	5-stars
Classic Cleaners	4211 E. 62nd St., Indianapolis	5-stars
Classic Cleaners	9538 E. 126th St., Indianapolis	5-stars
Classic Cleaners	8641 Bash St., Indianapolis	5-stars
Classic Cleaners	7239 E. 116th St., Indianapolis	5-stars
Classic Cleaners	9564 Allisonville Rd., Indianapolis	5-stars
Classic Cleaners,	8628 Purdue Rd., Indianapolis	5-stars
One Hour Cleaners	52 W. Third St., Peru	4-stars
Richmond Cleaners	651 Northwest Fifth St., Richmond	5-stars
Southern Plaza Village Laundry	4019 South Ransdell, Indianapolis	5-stars

IDEM has recognized more than 100 drycleaners during the past five years. A complete list is available at www.IN.gov/idem/ctap/cleaners/5stindex.html



News

<http://www.state.in.us/idem>

For Immediate Release:

July 18, 2002

Contact:

IDEM Media Staff

317-232-8557 or 232-8512

White River settlement

Anderson settles with State over its role in fish kill

Governor Frank O'Bannon announced today another legal settlement in the lawsuits arising out of the December 1999 White River fish kill.

"Today is another notable day in the White River's recovery," said the governor as he announced that the city of Anderson had entered into a consent decree with the United States and the State of Indiana in regard to violations of the federal Clean Water Act.

"Just about a year ago, I stood on the river bank in downtown Indianapolis to announce one of the largest settlements in the state's history for violations of the Clean Water Act. Since that day, the river has had a steady rebirth and this settlement with the city of Anderson brings all of us a step closer toward closure of this unfortunate incident," the governor commented.

"It also sends a strong message that you cannot pollute Indiana's waterways and escape accountability for your actions."

In the settlement, Anderson agreed to pay a \$250,000 fine to the federal and state government for violations of the Clean Water Act. However, the settlement also formalized improvements the city must make to its sewer and wastewater treatment plant.

"While we continue to repair the damage caused by this incident, we must not lose sight of the important lessons it taught us as corporate citizens, public officials and as people who care about the White River," said Lori F. Kaplan, commissioner of the Indiana Department of Environmental Management. "The White River matters and we must protect it."

"We have held the responsible parties accountable for their negligence but it is more important to avoid a similar, future incident. This agreement assures that the city of Anderson becomes a full partner, along with other communities up and down the length of this river, to protect and improve the White River's water quality for years to come."

- more -

In the court filings, Anderson was cited for discharging pollutants into the waters of the state that exceeded limits established in its permit, called a National Pollutant Discharge Elimination System, or NPDES, permit. Additionally, the city was cited for failing to comply with monitoring and record keeping requirements imposed by the permit as well as failing to effectively administer a program to assure proper pretreatment of wastewater discharged into its sewer system.

On June 18, 2001, the governor announced that Guide Corp., an Anderson auto parts manufacturer, would pay \$13.937 million to settle the state and federal lawsuit against the corporation. About \$6 million of the settlement has been earmarked for rehabilitation activities in the area of the river between Anderson and the south side of Indianapolis.

The settlement agreement will be subject to a 30-day public comment period, which begins when a notice of settlement is published in the Federal Register. A copy of the consent decree and the complaint may be found on IDEM's Web site: <http://stage.ai.org/idem/macsfactsheets/whiteriver/>

- 30 -



Media Advisory

www.IN.gov/idem

For Immediate Release:

July 23, 2002

For further information, contact:

Brian Wolff

(317) 233-5565

bwolff@dem.state.in.us

Midwestern States Risk Assessment Symposium

WHO: Indiana Department of Environmental Management, U.S. Environmental Protection Agency, Indiana University, Purdue University and Rose-Hulman Ventures

WHAT: A symposium focusing on applications of environmental risk assessment science to real world environmental projects.

WHEN: July 24-26

WHERE: Indiana Government Center
402 W. Washington St.
Indianapolis, IN

General topics of discussion for the 2002 symposium will be waste oil hydrocarbon endpoints in soil, vapor intrusion into buildings from soil and ground water and judgmental sampling of soil. Stakeholders will have the chance to participate in topic discussions and presentations.

Among the exhibitors/vendors will be the U.S. Environmental Protection Agency, state government agencies, environmental consultants, laboratories, lawyers, software companies and excavating/demolition firms.

EPA will have on display its Emergency Response Team's Trace Atmospheric Gas Analyzer (TAGA) bus. One of about 12 in the world, the bus houses a self-contained mobile laboratory. Instruments on the TAGA bus can measure concentrations of pre-selected compounds in the air at the low parts per billion (ppb) level as the bus is being driven down a street. In addition to providing real-time outdoor air analysis, the TAGA unit provides analytical capabilities for indoor air, soil gas, headspace and stack emissions.

Additional information about the symposium is available at <http://www.spea.indiana.edu/msras/>.

-30-



News

www.IN.gov/idem

For Immediate Release:
July 23, 2002

Contact: Keri S. McGrath
(317) 232-8512
kmcgrath@dem.state.in.us

IDEM Investigates Tipton Wastewater Treatment Plant Upset

Personnel at Tipton's wastewater treatment plant reported this morning that the plant is currently unable to sufficiently treat waste due to the introduction of an unknown substance into the system. The foreign substance's high pH levels have compromised the biological actions required for treating sewage, causing an upset.

The plant ceased all discharges into Cicero Creek for several hours while restoring the biological integrity of the facility. Once the treatment capacity is restored, the plant will regularly sample effluent levels.

Emergency responders and Office of Water Quality staff from the Indiana Department of Environmental Management joined with city personnel on-site to monitor the plant, provide technical advice, assess the river and provide additional resources as needed. The Department of Natural Resources, county health department and Emergency Management Agency have been notified of the incident.

IDEM will continue to investigate the source of the foreign substance.

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Fees Collected

Permit Program	July 2002	2002 YTD (Jan-July)	2001	2000	1999	Fee Per Permit (Low) (High)	
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AIR: Title V Permit Program							
Annual Operation Fees	\$15,279	\$10,125,337				\$600	\$200,000
Construction Permit Fees	\$82,380	\$474,559				\$100	\$20,000
Subtotal:	\$97,659	\$10,599,896	\$11,606,091	\$11,547,037	\$11,195,299		

HAZARDOUS WASTE:							
Permit Application Fees	\$0	\$85,050				\$2,250	\$40,600
Annual Operation Fees	\$54,258	\$1,245,887				\$1,000	\$37,500
Subtotal:	\$54,258	\$1,330,937	\$1,362,067	\$2,082,299	\$2,054,016		

SOLID WASTE:							
Permit Application Fees	\$5,000	\$127,200				\$2,200	\$31,300
Annual Operation Fees	\$40,950	\$1,533,537				\$25	\$35,000
Disposal Fees	\$328,617	\$823,833				\$0.05/ton	\$0.10/ton
Waste Tire Registrations	\$450	\$4,989				\$25	\$500
Septage Land Application Approvals	\$0	\$2,850				\$30	---
Confined Feeding Approvals	\$1,400	\$9,200				\$100	---
Subtotal:	\$376,417	\$2,501,609	\$3,006,918	\$3,094,282	\$2,858,861		

WASTEWATER: National Pollutant Discharge Elimination System (NPDES) Program							
Permit Application Fees	\$14,050	\$75,500				\$50	\$100
Annual Operation Fees	\$6,019	\$3,632,400				\$240	\$34,800
NPDES Operator Certifications	\$4,290	\$46,670				\$30	----
Wastewater Facility Construction Permit Fees	\$1,350	\$9,750				\$50	\$2,500
Subtotal:	\$25,709	\$3,764,320	\$3,927,154	\$4,130,594	\$4,040,791		

DRINKING WATER CONSTRUCTION:							
Permit Application Fees	\$3,850	\$41,580				\$0	\$2,500
Operator Certifications*	\$7,200	\$44,600				\$30	----
Subtotal:	\$11,050	\$86,180	\$124,815	\$128,415	\$125,700		

TOTAL:	\$565,093	\$18,282,942	\$20,027,045	\$20,983,173	\$20,274,667		
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Office of Air Quality New Source Review Permits Report Card

As of July 31, 2002

OAQ issues quality, environmentally protective construction and operation permits to applicants.

IDEM's commitment is to issue quality environmental permits and modifications to qualified applicants 100% on-time.

Late Permits in July:	0
Total Permits Issued in July:	14
Number of On-Time Permit, Modification, or Approval Decisions Issued in 2002:	120
Number of Late Permit, Modification, or Approval Decisions Issued in 2002:	0
Consecutive Months With No Late Permits:	49
Amount of Permit Fees Lost from Late Permits in 2002:	\$0

Amount of Permit Fees Collected in 2002: \$ 474,559

In 2001, the OAQ issued 269 on-time permit decisions (0 late). The OAQ has not issued a late permit decision since June, 1998. \$734,900 in permit fees were collected in 2001.

Office of Water Quality Wastewater Permits Branch Permits Report Card

As of July 31, 2002

OWQ Wastewater Permits Branch issues quality, environmentally protective construction and operation permits to applicants.

IDEM's commitment is to issue quality environmental permits and modifications to qualified applicants 100% on-time.

Late Permits in July:	0
Total Permits Issued in July:	87
Number of On-Time Permit, Modification, or Approval Decisions Issued in 2002:	517
Number of Late Permit, Modification, or Approval Decisions Issued in 2002:	0
Consecutive Months With No Late Permits:	50
Amount of Permit Fees Lost from Late Permits in 2002:	\$0

Amount of Permit Fees Collected in 2002: \$20,250

In 2001, the OWQ Wastewater Permits Branch issued 1,168 on-time permit decisions (0 late). The Wastewater Permits Branch has not issued a late permit since May 1998. \$41,075 was collected for wastewater facility construction and National Pollutant Discharge Elimination System (NPDES) wastewater permit fees in 2001.

Office of Water Quality Drinking Water Permits Branch Permits Report Card

As of July 31, 2002

OWQ Drinking Water Permits Branch issues quality construction permits which are protective of public health and the environment.

IDEM's commitment is to issue quality environmental permits and modifications to qualified applicants 100% on-time.

Late Permits in July:	0
Total Permits Issued in July:	21
Number of On-Time Permit, Modification, or Approval Decisions Issued in 2002:	134
Number of Late Permit, Modification, or Approval Decisions Issued in 2002:	1
Consecutive Months With No Late Permits:	3
Amount of Permit Fees Lost from Late Permits in 2002:	\$250

Amount of Permit Fees Collected in 2002: \$41,330

In 2001, the OWQ Drinking Water Permits Branch issued 301 on-time permit decisions (0 late). The Drinking Water Permits Branch has not issued a late permit decision since October 1998. \$70,075 was collected for Drinking Water permit fees in 2001.

Office of Land Quality Solid Waste Permits Permits Report Card

As of July 31, 2002

OLQ Solid Waste Permits Branch issue quality, environmentally protective modifications and permits to applicants.

IDEM's commitment is to issue quality environmental permits and modifications to qualified applicants 100% on-time.

Late Permits in July:	0
Total Permits Issued in July:	21
Number of On-Time Permit, Modification, or Approval Decisions Issued in 2002:	223
Number of Late Permit, Modification, or Approval Decisions Issued in 2002:	0
Consecutive Months With No Late Permits:	51
Amount of Permit Fees Lost from Late Permits in 2002:	\$0

Amount of Permit Fees Collected in 2002: \$139,250

In 2001, Solid Waste Permits issued 319 on-time permit decisions (0 late). Solid Waste Permits has not issued a late permit decision since April 1998. \$454,585 in permit fees were collected in 2001.

Office of Land Quality Hazardous Waste Permits Permits Report Card

As of July 31, 2002

OLQ Hazardous Waste Permits issues quality, environmentally protective modifications and permits to applicants.

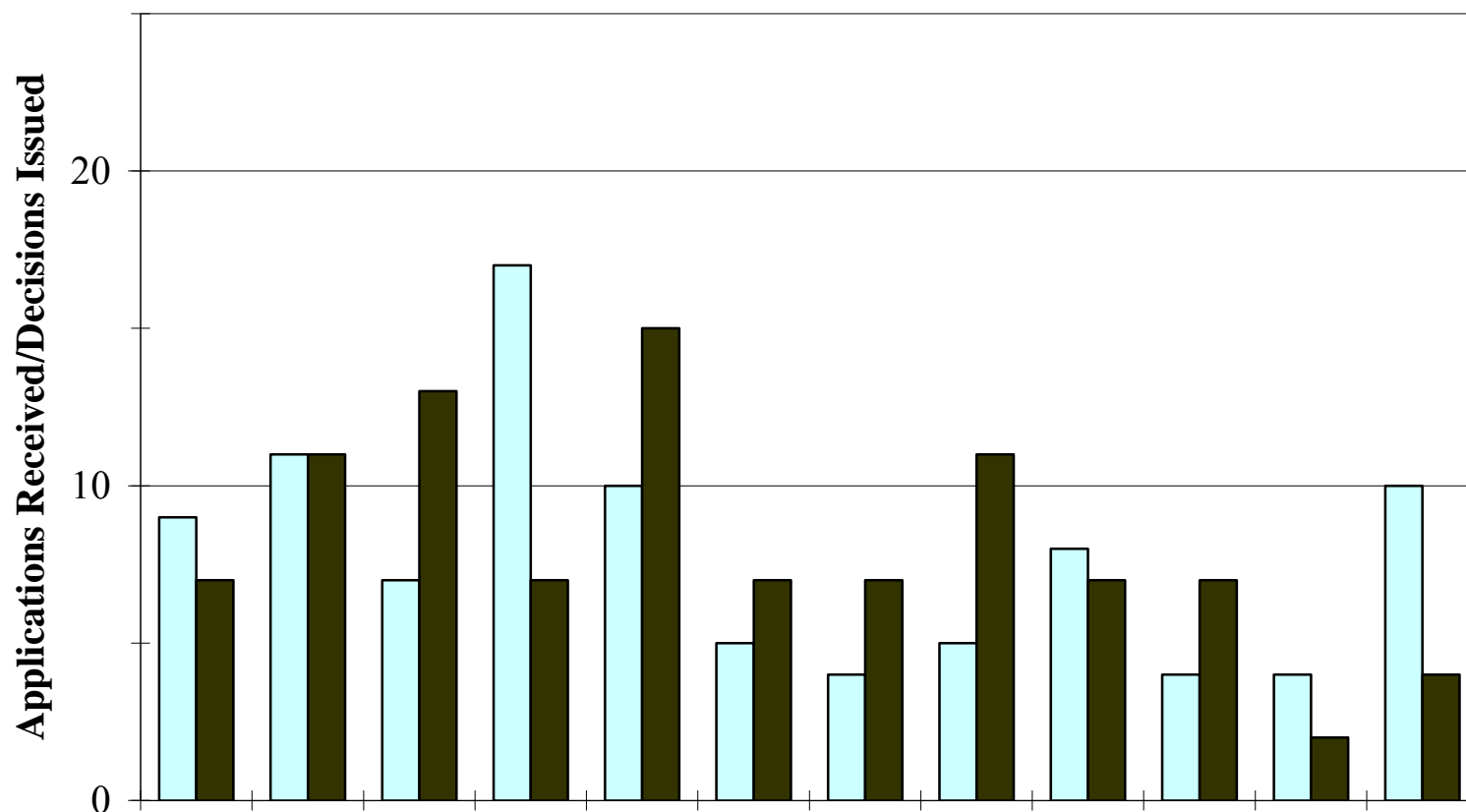
IDEM's commitment is to issue quality environmental permits and modifications to qualified applicants 100% on-time.



Late Permits in July:	0
Total Permits Issued in July:	0
Number of On-Time Permit, Modification, or Approval Decisions Issued in 2002:	3
Number of Late Permit, Modification, or Approval Decisions Issued in 2002:	0
Consecutive Months With No Late Permits:	49
Amount of Permit Fees Lost from Late Permits in 2002:	\$0

Amount of Permit Fees Collected in 2002: \$85,050

Hazardous Waste Permits has not issued a late permit decision since June 1998. In 2001, Hazardous Waste Permits issued 2 on-time permit decisions (0 late).
\$51,600 in permit fees were collected in 2001.

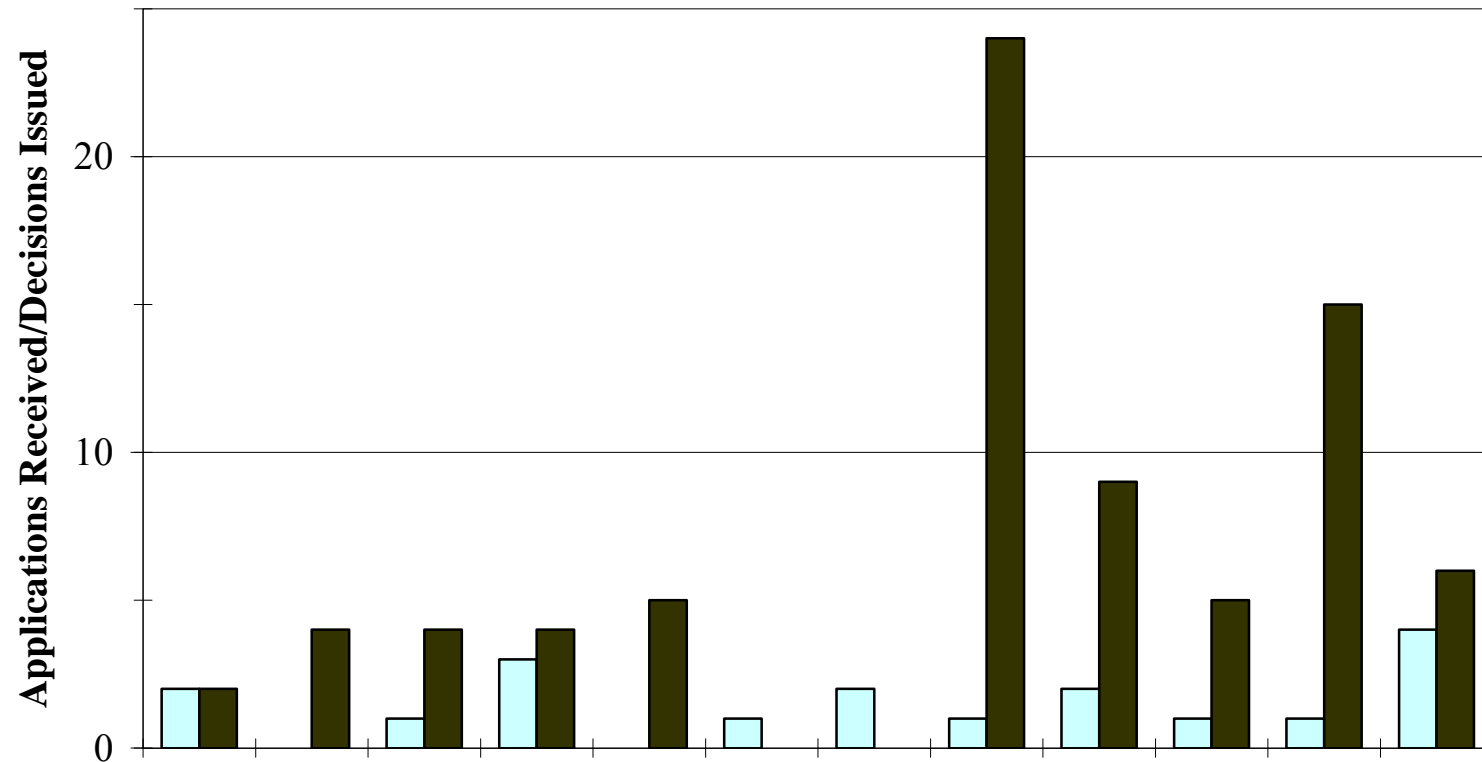
Office of Air Quality Minor Title V Operating Permits



Applications	Aug '01	Sept	Oct	Nov	Dec	Jan '02	Feb	Mar	Apr	May	Jun	Jul	Totals
Received 	9	11	7	17	10	5	4	5	8	4	4	10	94
Final Decisions 	7	11	13	7	15	7	7	11	7	7	2	4	98
Pending (not shown)	119	119	113	123	118	116	113	107	108	105	107	113	

Includes: Minor Source Operating Permit (MSOP) – a permit category created by new rules which became effective December 25, 1998 – the Source Specific Operating Agreements (SSOAs), and Federally Enforceable State Operation Permits (FESOPs). However, the chart excludes those FESOP and MSOP applications received as part of a combined construction permit/operating permit approval, such as FESOP/New Source Review, the issuance of which are instead tracked as construction permits (see page 9). Decisions includes permits issued as well as applications withdrawn, canceled, combined, or denied.

Office of Air Quality Title V Operating Permits (Major)



Applications	Aug '01	Sept	Oct	Nov	Dec	Jan '02	Feb	Mar	Apr	May	Jun	Jul	Totals
Received ■	2	0	1	3	0	1	2	1	2	1	1	4	18
Final Decisions ■	2	4	4	4	5	0	0	24	9	5	15	6	78
Pending (not shown)	248	244	241	240	235	236	238	215	208	204	190	188	

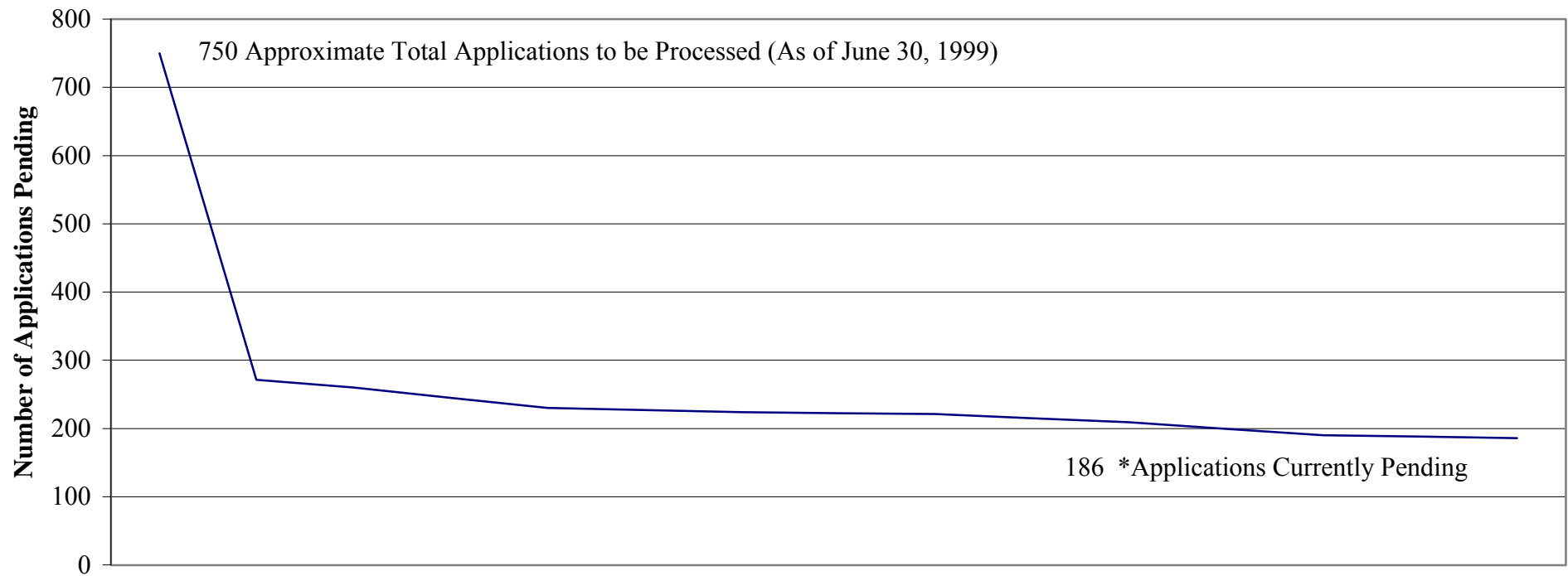
Includes: Title V only. However, the chart excludes those Title V applications received as part of a combined construction permit/operating permit approval, such as Title V/New Source Review, the issuance of which are instead tracked as construction permits (see page 9).

Note: The 1990 Amendments to the Clean Air Act required that the IDEM Office of Air Quality (OAQ) act by December 31, 2000, on all applications for Title V Air Operating Permits received before June 30, 1999. The OAQ has issued the majority of permit decisions required by the deadline, and decisions on the remaining applications are scheduled to be issued in 2001. The chart also includes applications received after June 30, 1999. Applications received after that date must be processed within 18 months. To date, forty-eight (48) such reviews have been completed and permits issued, with no late permits. Also note that the apparent spike in March 2002 decisions issued was result some roadblock issues being resolved.

Office of Air Quality

Title V Progress Report

Permits Issued and Applications Pending As of July 31, 2002



	Winter Qtr (Thru Mar 31, 2001)		Spring Qtr (Thru Jun 30, 2001)		Summer Qtr (Thru Sept 30, 2001)		Fall Qtr (Thru Dec 31, 2001)		Winter Qtr (Thru Mar 31, 2002)		Spring Qtr (Thru June 30, 2002)		Summer Qtr (Thru Sept 30, 2002)	
	Qtly	Cum	Qtly	Cum	Qtly	Cum	Qtly	Cum	Qtly	Cum	Qtly	Cum	Qtly	Cum
# of Draft Permits Currently on Public Notice or Beyond													48	
Permits Issued	23	490	30	520	6	526	3	529	12	541	19	560	4	564
* Applications Pending		260		230		224		221		209		190		186

Note: To comply with the Clean Air Act Amendments of 1990, IDEM was required by EPA to act by December 31, 2000, upon all the approximately 750 Title V permit applications which it received prior to June 30, 1999. While the majority of Title V permit decisions were issued by the December 31, 2000 deadline, a number of the more complex application reviews are still pending. According to EPA, as of May 2002, Indiana (nationally, [a leader among industrial states](#) in its processing of TV applications) has issued permits for [82 percent of the applications](#) it received, while Michigan, the next most productive state [in EPA Region V](#), has issued permits for 72 percent of its Title V applications.

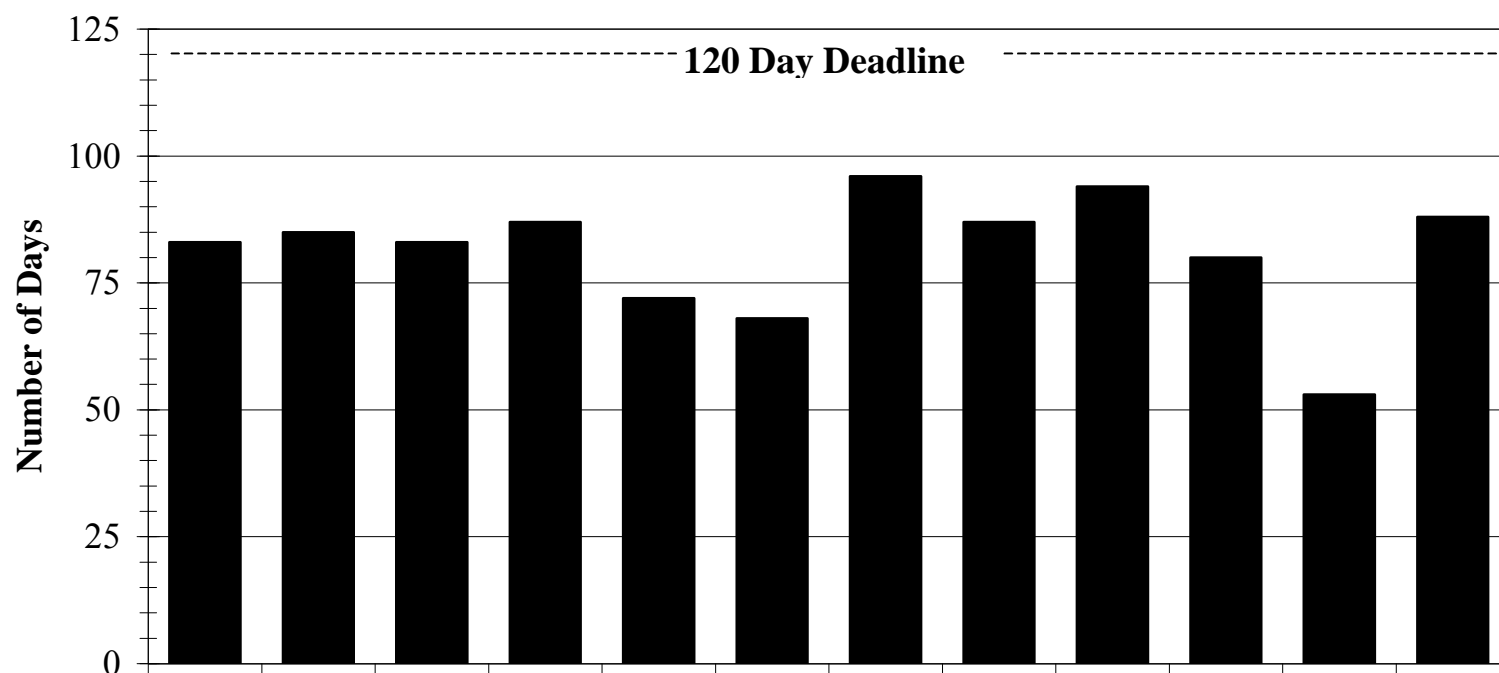
Qtly = Quarterly **Cum** = Cumulative

*Applications Pending = Those remaining applications which have not yet been approved (issued), denied, canceled, withdrawn, or combined.

Office of Air Quality

New Construction/Source Modifications

Median Number of Days to Issue Permits Subject to 120 Day Deadline



Applications	Aug '01	Sept	Oct	Nov	Dec	Jan '02	Feb	Mar	Apr	May	Jun	Jul	Totals
Median # of Days to Issue	83	85	83	87	72	68	96	87	94	80	53	88	
#Permits Issued Past Deadline	0	0	0	0	0	0	0	0	0	0	0	0	0
Actual # of Permits Issued	9	8	12	14	9	16	4	6	10	8	7	5	108
#Applications Received	20	17	16	14	12	12	16	13	18	18	17	15	188
#Final Decisions	17	10	28	31	17	26	10	13	20	17	17	13	219
Applications Pending	140	147	135	118	113	99	105	105	103	104	104	106	

The top three rows of the table report the number of permits subject to the 120 day deadline which are issued each month, and the median number of days it took to issue those permits, which also is depicted in the bar graph. The bottom three rows of the table report the total number of applications received, decisions issued, and applications pending for all levels of construction approvals, including: Interim Construction Permits, Registrations, New Construction Permits, Federal Construction Permits, and applications for combined construction/operating permits (such as FESOP/NSR; Federally Enforceable State Operating Permit/New Source Review), as well as requests for modifications to existing registered or permitted sources, including modifications to Title V sources. However, modifications to Title V permits are tracked on page 11. Also note that exemptions are no longer tracked on this chart.

Office of Air Quality
Federal Air Construction Permits (270 Day Review)
Number of Days to Issue Final Decisions

August 1, 2001 - July 31, 2001

Applicant	County	Date Application Received	Final Decision	Date of Final Decision	Permit Decision Number	Number Of Days to Issue Decision*
Cogentrix Lawrence County, LLC	Lawrence	7/3/00	Approved	10/5/01	093-12432-00021	204
SIGECO - AB Brown	Posey	3/5/01	Approved	11/16/01	129-14021-00010	169
SIGECO - AB Brown	Posey	3/13/00	Approved	11/29/01	129-12029-00010	269
Cargill, Inc. - Soybean Processing Division	Tippecanoe	9/20/99	Approved	12/3/01	157-11361-00038	137
Acadia Bay Energy Co., LLC **	St. Joseph	3/22/01	Approved	12/7/01	141-14198-00543	128
Steel Dynamics, Inc.	Whitley	12/18/01	Approved	5/31/02	183-15170-00030	125
Nucor Steel	Montgomery	4/26/01	Approved	6/6/02	107-14297-00038	270
Duke Energy Knox II, LLC	Knox	10/15/01	Approved	6/12/02	083-14942-0004	167
Mirant Sugar Creek, LLC (Southern Energy Co.)	Vigo	12/13/01	Approved	7/24/02	167-15295-00123	172

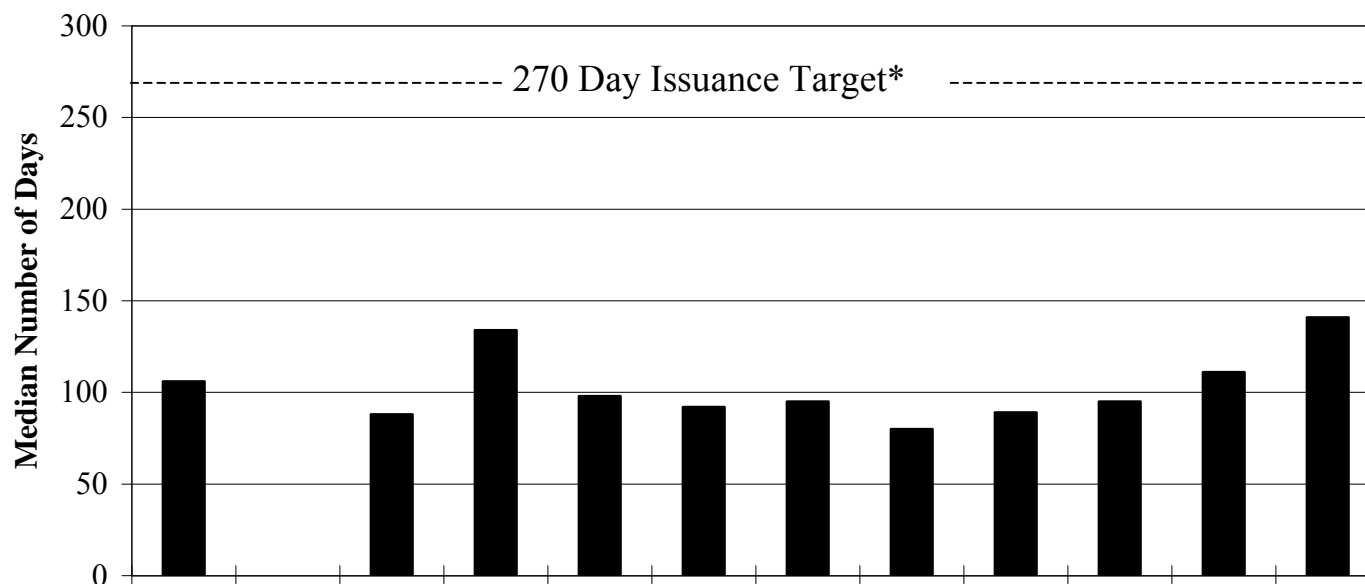
* The "Median Number of Days to Issue Final Decisions" on Federal PSD (Prevention of Significant Deterioration) Level Review of New Air Construction Permits and Significant Title V Source Modifications issued during the past 12 months was 169 days. Instances when the elapsed time between the receipt of an application and the issuance of a decision do not match the "Number of Days to Issue Decision" are the result of time clock stoppages to allow the applicant to provide additional information as required by IDEM.

** Name was changed from Acadia Bay Energy Company, LLC to Allegheny Energy Supply Company, LLC.

Office of Air Quality

Significant Modifications to Title V Operating Permits

Number of Days to Issue Significant Permit Modifications



Applications	Aug '01	Sept	Oct	Nov	Dec	Jan '02	Feb	Mar	Apr	May	Jun	Jul	Totals
Median # of Days to Issue	106	0	88	134	98	92	95	80	89	95	111	141	
#Late Permit Modifications	0	0	0	0	0	0	0	0	0	0	0	0	0
Actual # Modifications Issued	5	0	4	10	3	5	1	2	4	3	8	4	49
Total Applications Received	7	7	4	4	5	4	3	6	5	2	3	9	59
Total Decisions	6	1	5	10	3	5	1	2	6	3	8	4	54
Total Applications Pending	37	43	42	36	38	37	39	43	42	41	36	41	

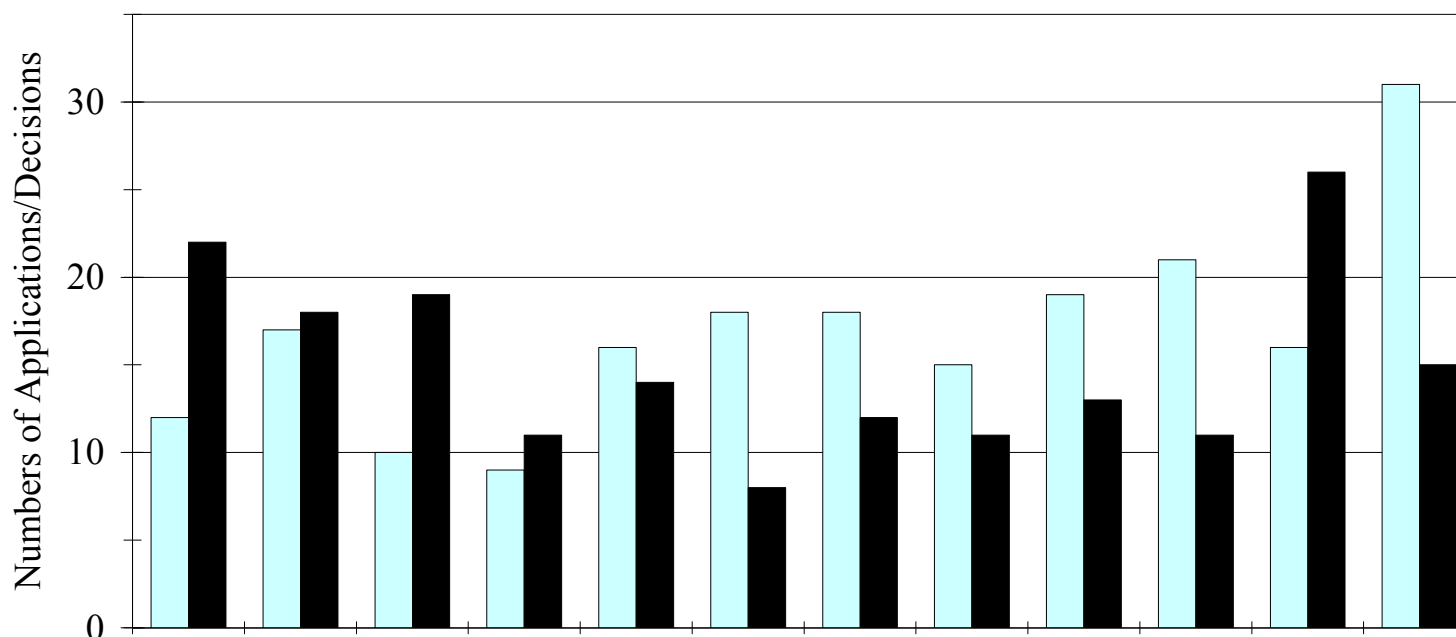
* There is no statutory deadline for the approval of Title V significant permit modifications; instead 326 IAC 2-7-12(d)(2) states that IDEM shall complete review of the majority of significant permit modifications within nine (9) months after receipt of a complete application. Approvals for modifications to existing sources with Title V permits is a two step process: source modification approval and permit modification approval. Pre-construction approvals for modifications to "sources" are tracked on page 9 (or page 10 if a federal level review is required).

Note: This chart tracks approvals for modifications to the actual Title V permits of those sources which did not opt to have any required permit modifications reviewed simultaneously with pre-construction source modification approvals which would have instead allowed their permit to be subsequently modified by way of an administrative permit amendment. The top three (3) rows of the table report the actual number of modifications issued monthly, and the median number of days to issue, while the bottom three (3) rows report the total number of modification applications received, decisions issued (including applications withdrawn, canceled, combined, or denied) and applications pending.

Office of Water Quality

National Pollutant Discharge Elimination System (NPDES)

Permit Renewals Pending



Applications	Aug '01	Sept	Oct	Nov	Dec	Jan '02	Feb	Mar	Apr	May	June	July	Totals
Received	12	17	10	9	16	18	18	15	19	21	16	31	202
Final Decisions	22	18	19	11	14	8	12	11	13	11	26	15	180
Pending*	135	134	125	123	125	135	141	145	151	161	151	167	

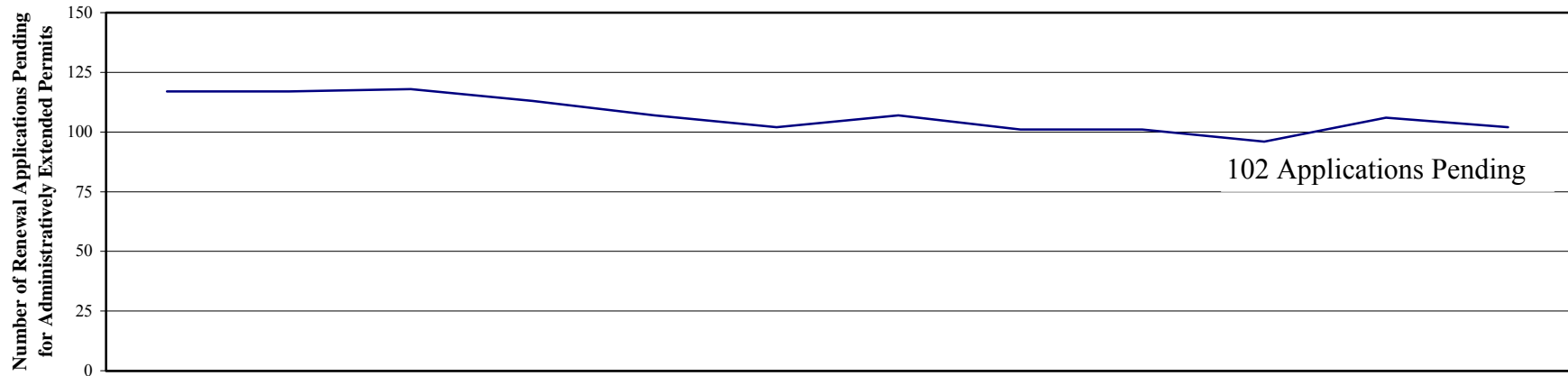
NPDES Permits, which are issued to all municipal and industrial facilities discharging wastewater into the "waters of the state", expire after five years. Waters of the state means such accumulations of water, surface and underground, natural and artificial (manmade reservoirs or channels), public and private, or parts thereof, which are wholly or partially within, which flow through, or which border upon the state of Indiana. This chart tracks three types of general and individual NPDES permit applications: 1) permits which are still effective and for which a renewal application already has been received; 2) permits for which the renewal application was received after the permit expired; and 3) permits which have been administratively extended because the renewal application was received prior to the permit becoming expired.

*The data provided for applications pending represents a "snapshot" of the number of permit applications pending at the end of the given month.

Office of Water Quality

National Pollution Discharge Elimination System (NPDES) Permit Renewal

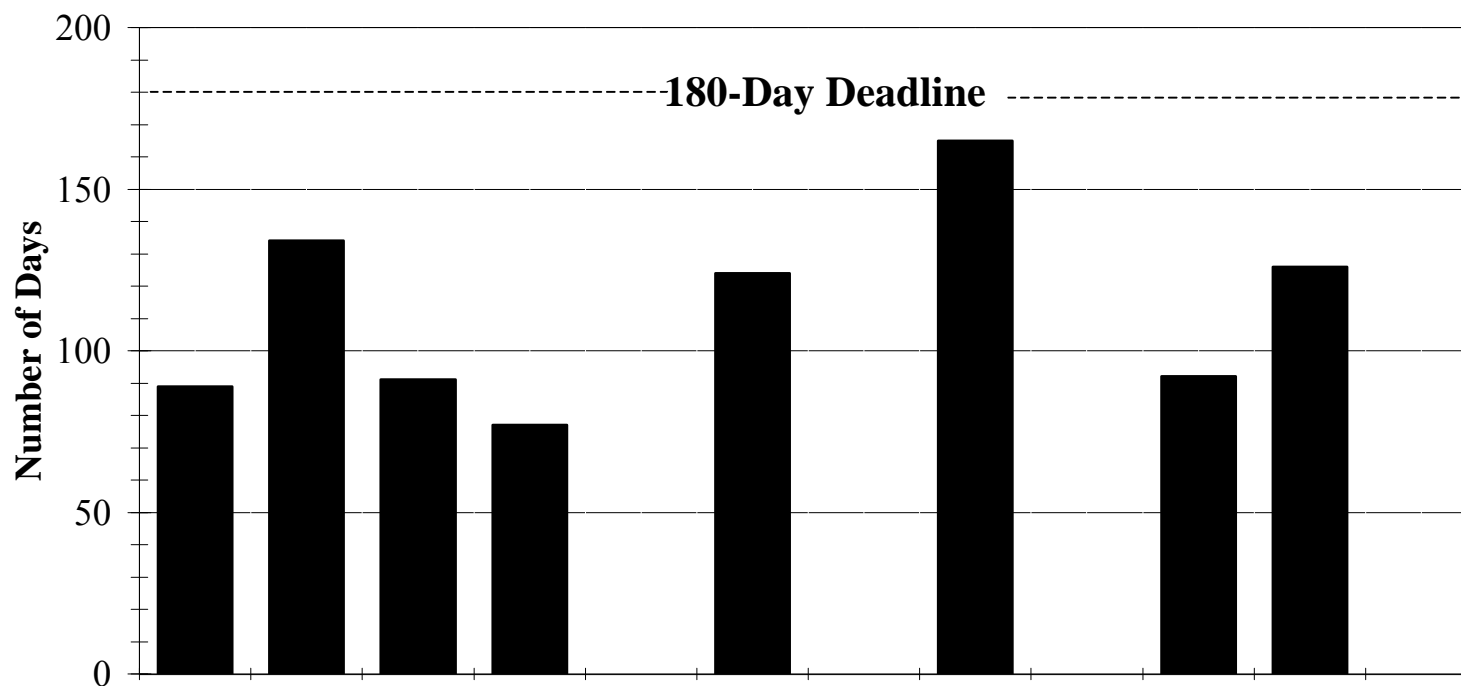
Renewal Applications Pending for Administratively Extended (Admin Ext) Permits



	Aug '01	Sept	Oct	Nov	Dec	Jan '02	Feb	Mar	Apr	May	Jun	Jul	Totals
Admin Ext Permits Issued Each Month	2	5	4	2	1	1	10	5	6	6	11	2	55
Backlog: Renewal Applications Pending for Admin Ext Permits (Not Yet Public Noticed)	117	117	118	113	107	102	107	101	101	96	106	102	
Monthly Total # of Still "Active" Permits With Applications Already On File	61	56	48	55	47	55	59	69	70	81	73	83	
Admin Ext Permits Public Noticed Each Month	7	3	8	1	9	5	7	5	4	10	10	9	
Monthly Total # of Draft Permits Which Have Been Public Noticed One or More Times	44	42	40	40	44	49	46	42	44	45	43	45	

Note: The term "backlog" of NPDES permit applications includes only those permits which have been administratively extended after a renewal application was submitted in a timely manner (prior to the expiration of the permit), but for which a draft permit has not yet been placed on public notice. The NPDES backlog (shown on the chart and on line 2 [the second line] of the table) has been reduced from approximately 673 in January 1998, to the number currently displayed on the chart. Renewal applications are due 180 days prior to the expiration of the permit. Thus, a number of applications already are on file with the Office of Water Quality for permits which are still "active" and therefore not yet considered part of the backlog (see line 3). Once a draft permit has been placed on public notice, it no longer is considered as "backlogged" because final issuance can be delayed by the applicant or other interested parties. Line 4 shows the number of permits on public notice each month. Line 5 (at the bottom of the table) shows the total number of administratively extended draft permits which have been public noticed, but have not yet been issued. This chart is a subset of the "Permit Renewals Pending" chart on the previous page.

Office of Water Quality
New National Pollutant Discharge Elimination System (NPDES) Permits
Median Number of Days to Issue Final Decisions
(Minor Individual)

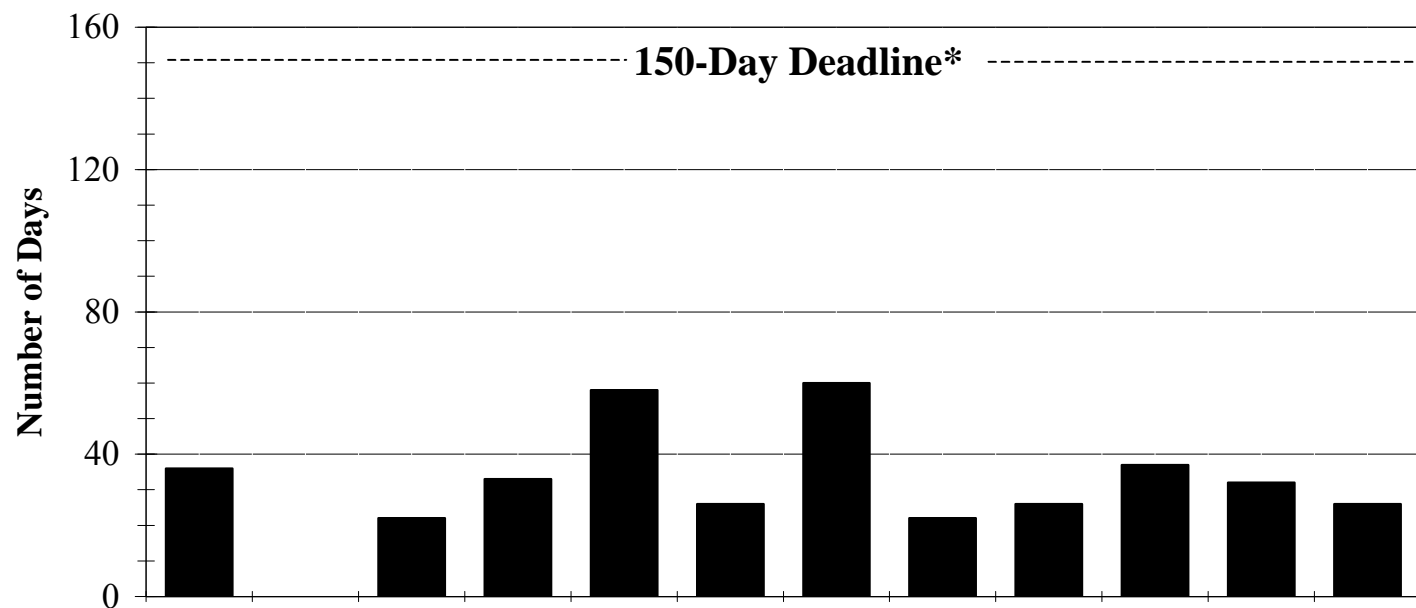


Applications	Aug '01	Sept	Oct	Nov	Dec	Jan '02	Feb	Mar	Apr	May	June	July	Totals
Median # of Days to Issue	89	134	91	77	N/A	124	N/A	165	N/A	92	126	0	
#Final Decisions Past Deadline	0	0	0	0	0	0	0	0	0	0	0	0	0
#Applications Received	2	0	3	2	2	1	2	3	0	2	1	3	21
#Final Decisions	3	2	1	2	0	2	0	1	0	2	4	0	17
Applications Pending*	45	43	45	45	47	46	48	50	50	50	47	50	

Minor Individual NPDES permits are issued to facilities discharging less than one million gallons per day, and which are not eligible for a general permit-by-rule.

*The data provided for applications pending represents a "snapshot" of the number of permit applications pending at the end of the given month.

Office of Water Quality
New National Pollutant Discharge Elimination System (NPDES) Permits
Median Number of Days to Issue Final Decisions
(Minor General)



Applications	Aug '01	Sept	Oct	Nov	Dec	Jan '01	Feb	Mar	Apr	May	June	July	Totals
Median # of Days to Issue	36	N/A	22	33	58	26	60	22	26	37	32	26	
#Final Decisions Past Deadline	0	0	0	0	0	0	0	0	0	0	0	0	0
#Applications Received	10	3	16	0	6	0	3	7	4	4	1	3	57
#Final Decisions	9	0	7	3	2	6	1	3	6	5	3	2	47
Applications Pending**	11	14	23	20	24	18	20	24	22	21	19	20	

Minor General NPDES Permits are for specific types of discharges of less than 1 million gallons, including non-contact cooling water, discharges from coal mines, sand, gravel, and stone quarries, and from petroleum products terminals, petroleum-related groundwater remediation activities, or hydrostatic testing of commercial pipelines.

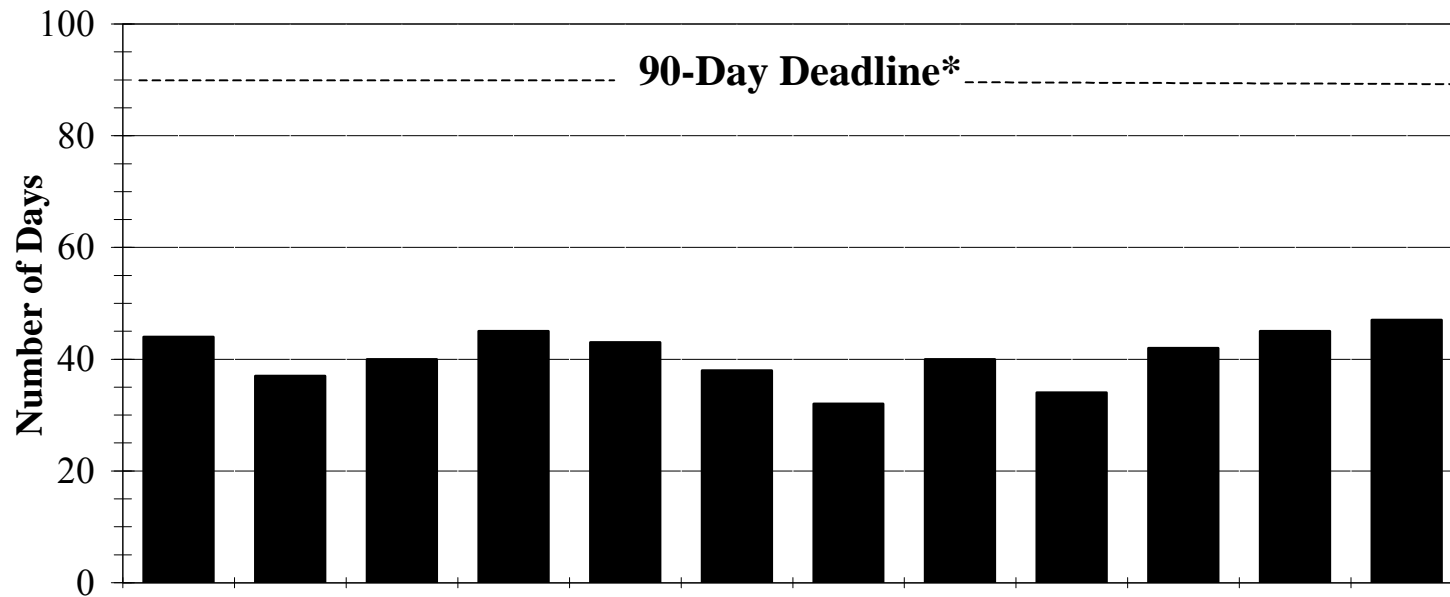
*HEA 1919, which became effective July 1, 1999, reduced the allowable time frame for IDEM review of NPDES general permit applications from 180 days to 150 days.

**The data provided for applications pending represents a "snapshot" of the number of permit applications pending at the end of the given month.

Office of Water Quality

Wastewater Facility Construction Permits

Median Number of Days to Issue Final Decisions



Applications	Aug '01	Sept	Oct	Nov	Dec	Jan '02	Feb	Mar	Apr	May	June	July	Totals
Median # of Days to Issue	44	37	40	45	43	38	32	40	34	42	45	47	
#Final Decisions Past Deadline	0	0	0	0	0	0	0	0	0	0	0	0	0
#Applications Received	77	76	85	66	36	41	53	61	69	67	71	110	812
#Final Decisions	101	41	108	82	77	47	54	43	71	51	50	70	795
Applications Pending**	148	183	160	144	103	97	96	114	112	128	149	189	

Under 327 IAC 3-2.1-3, sanitary sewer extensions do not require a permit from IDEM if the plans are prepared by a professional engineer, submitted to and reviewed by a local publicly-owned sewer authority, and meet all state water pollution control rules and if the local authority then notifies IDEM. Similarly, under 327 IAC 3-2-4 (11-13), repairs, replacements, modifications, or additions of equipment for an existing municipal or industrial water pollution treatment/control facility do not require a permit if they are not made to treat a new influents, or if there is no increase in the capacity of the facility. These rules became effective June 17, 1999, and their subsequent impact is reflected in the decreasing numbers of applications pending.

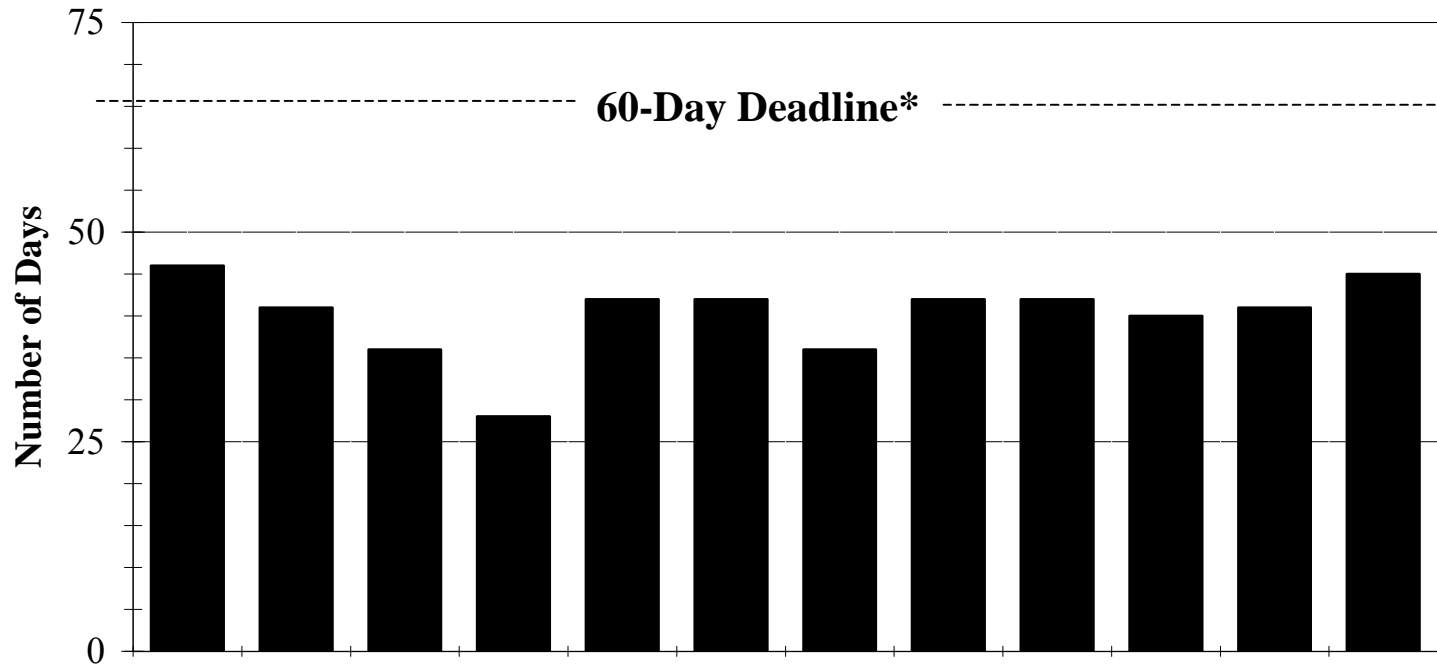
* HEA 1919, effective July 1, 1999, reduced the allowable time frame for IDEM review of wastewater construction permit applications from 120 days to 90 days.

**The data provided for applications pending represents a "snapshot" of the number of permit applications pending at the end of the given month.

Office of Water Quality

Drinking Water Construction Permits

Median Number of Days to Issue Final Decisions



Applications	Aug '01	Sept	Oct	Nov	Dec	Jan '02	Feb	Mar	Apr	May	June	July	Totals
Median # of Days to Issue	46	41	36	28	42	42	36	42	42	40	41	45	1
#Final Decisions Past Deadline	0	0	0	0	0	0	0	0	1***	0	0	0	235
#Applications Received	16	16	28	19	18	18	18	24	23	20	15	20	248
#Final Decisions	34	20	20	19	20	21	15	17	19	28	14	21	
Applications Pending**	30	26	34	34	32	29	32	39	43	35	36	35	

* IC 13-15-4-1 (as amended by HEA 1919, effective July 1, 1999) required the time frame for permitting decisions on applications for Drinking Water Facility Construction Permits to be reduced from 120 days to 90 days. In addition, state rule 327 IAC 8-3-5.5 limits permit review of all Drinking Construction Permit applications -- except those for water treatment plants -- to 60 days, the decisions deadline depicted on this chart.

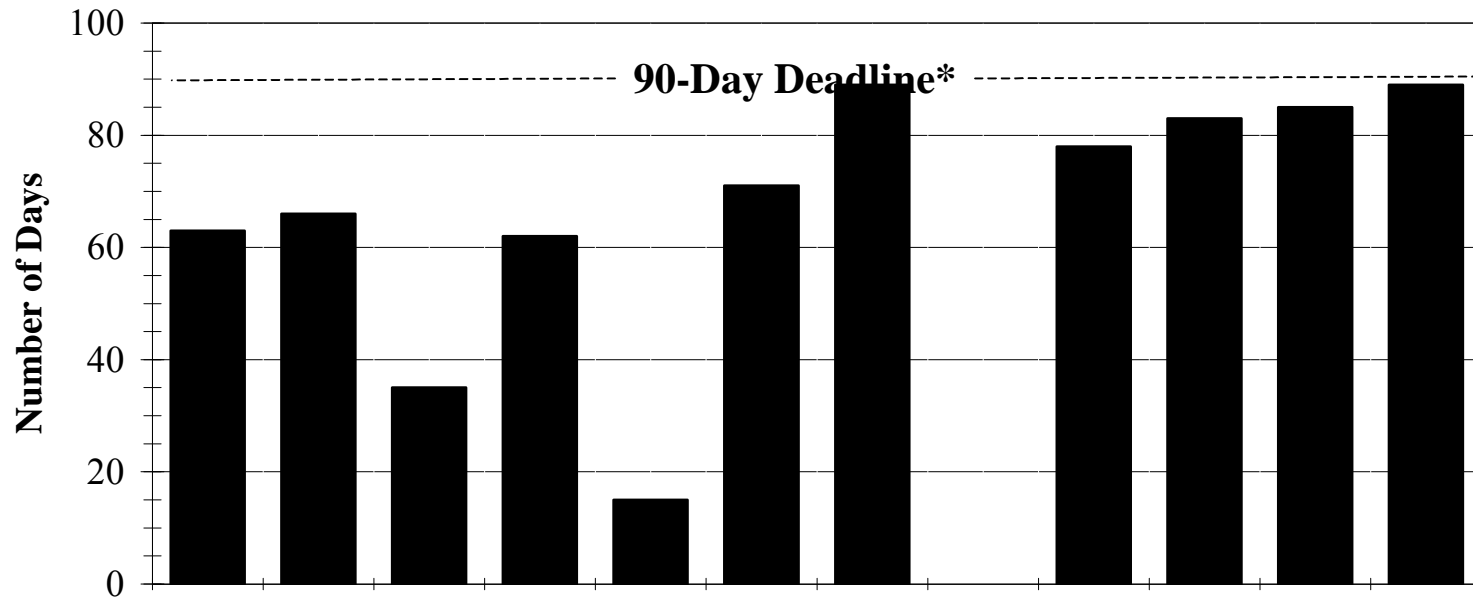
**The data provided for applications pending represents a "snapshot" of the number of permit applications pending at the end of the given month.

*** During April 2002, one permit application review was completed in 62 days. That is 2 days past the 60 day decision deadline establish by state rule 327 IAC 8-3-5.5, but well within the statutory timeframe for drinking water construction permit decisions under state law IC 13-15-4-1.

Office of Land Quality

Solid Waste Minor Permit Modifications

Median Number of Days to Issue Final Decisions



Applications	Aug '01	Sept	Oct	Nov	Dec	Jan '02	Feb	Mar	Apr	May	June	July	Totals
Median # of Days to Issue	63	66	35	62	15	71	89	NA	78	83	85	89	
#Final Decisions Past Deadline	0	0	0	0	0	0	0	0	0	0	0	0	0
#Applications Received	4	2	2	2	2	1	4	2	1	0	0	2	22
#Final Decisions	1	3	2	3	1	4	1	0	1	4	2	3	25
Pending Applications**	9	8	8	7	8	5	8	10	10	6	4	3	

Note: A Minor Permit Modification of a solid waste land disposal facility is a change that does not increase the facility's capacity by the lesser of 10% or 500,000 cubic yards, or change the boundary by more than one acre.

* As provided in IC 13-15-4-2, thirty (30) additional days are allowed for solid waste minor permit modifications and certain other IDEM-issued permits issuances, whenever a public hearing is conducted. In accordance with this statute, 30 days are automatically subtracted from the total number of days for permit issuance for permits subjected to a public hearing in cases where the permit is consequently issued in excess of the 90-day deadline applicable to permits not subject to a public hearing.

**The data provided for applications pending represents a "snapshot" of the number of permit applications pending at the end of the given month.

Office of Land Quality
Solid Waste Landfills and Processing Facilities
New Facility Permits and Major Permit Modifications
Number of Days to Issue Final Decision

August 1, 2001 - July 31, 2002

Decisions Issued on New Landfill Facility Applications or Major Modifications of Landfills

Site Name	County	Application Type	Date Application Received	Decision	Date of Decision	Review Deadline (in days)	# of Days to Issue Decision
Sycamore Ridge Landfill	Vigo	C/O	06/22/2001	Approved	06/21/2002	365	261
Monroe County Solid Waste Management C/D	Monroe	Mod-A	03/20/2000	Approved	08/16/2001	365	256

* The "Median number of days to Issue Final Decisions" on new landfill facilities or major modifications of landfills during the past 12 months was 259 days.

Decisions Issued on New Processing Facility Applications

Site Name	County	Application Type	Date Application Received	Decision	Date of Decision	Review Deadline (in days)	# of Days to Issue Decision**
Crouse Transfer Station	Dubois	C/O	05/31/2001	Approved	09/13/2001	180	100
Indianapolis Transfer Station	Marion	C/O	03/26/2001	Approved	09/19/2001	180	158
Richmond Transfer Station	Wayne	Mod - A	06/28/2001	Approved	06/18/2002	180	177

** The "Median number of days to Issue Final Decisions" on new processing facilities during the past 12 months was 145 days.

Legend:

C/O = Construction and Operation Permit
C/D = Construction and Demolition Debris Landfill
Mod - A = Modification to Increase Landfill Area
Mod - H = Modification to Increase Landfill Height

Office of Land Quality
Hazardous Waste Treatment, Storage and Disposal Facilities
Class 2 and Class 3 Permit Modifications
Number of Days to Issue Final Decision
August 1, 2001 - July 31, 2002

Decisions Issued on Applications for Class 2 Modification

Site Name	County	Date Application Received	Decision	Date of Decision	Review Deadline (in days)	# of Days to Issue Decision
HES	Putnam	9/21/01	Approved	11/19/01	120	91
Ashland Distribution	St. Joseph	1/30/02	Approved	5/3/02	120	57
HES (INR02-1)	Putnam	2/6/02	Approved	6/26/02	120	99

*** The "Median number of days to Issue Final Decisions" on Class 2 Permit Modifications during the past 12 months was 82 days.*

Class 2 Modifications apply to changes to the permit which are necessary to enable the permittee to respond, in a timely manner, to

- 1) Common variations in the types and quantities of wastes managed under the facility's permit;
- 2) Technology advancements, and
- 3) Changes necessary to comply with new regulations.

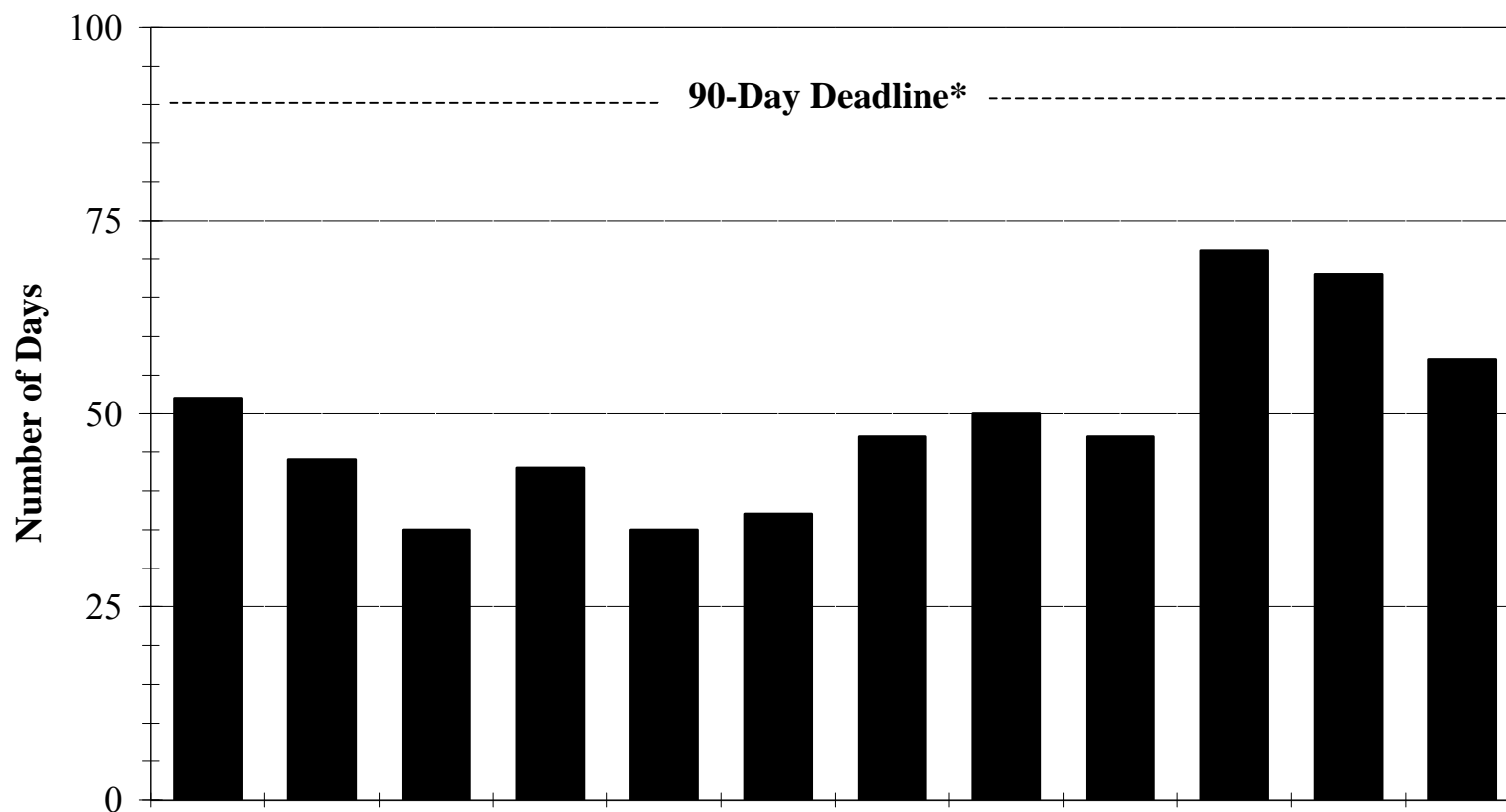
Decisions Issued on Applications for Class 3 Modification

Site Name	County	Date Application Received	Decision	Date of Decision	Review Deadline (in days)	# of Days to Issue Decision
HES	Marion	10/08/1999	Approved	2/14/02	270	270*

Class 3 Modifications substantially alter the facility or its operation. Applications for modifications to landfills must be processed in 365 days, while applications for modifications to storage, treatment or incinerator facilities must be processed 270 days.

* Although 476 days elapsed on the clock prior to the issuance of the modification approval, the modification approval was not late because a 60-day extension was granted for additional public comment. In addition, the applicant agreed to add time to the clock because what they proposed to do in their response to Office of Land Quality's request for additional information was substantially different from what they had proposed in their initial application.

Office of Land Quality Confined Feeding Operation Approvals



Applications	Aug '01	Sept	Oct	Nov	Dec	Jan '02	Feb	Mar	Apr	May	June	July	Totals
Median # of Days to Issue	52	44	35	43	35	37	47	50	47	71	68	57	
# Final Decisions Past Deadline	0	0	0	0	0	0	0	0	0	0	0	0	0
# Applications Received	16	11	12	16**	9 **	18**	17**	9 **	12**	18**	6 **	13	157
# Final Decisions	13**	16**	10	15	7	12	9	32	3	6	5	16	144
Applications Pending***	48**	43**	45	39**	41**	47**	55**	32**	41**	53**	54**	57	

* State law IC 13-18-10-2.1 requires that applications be reviewed and processed within 90 days of receipt of a complete application.

** These numbers have been amended to account for permitting data logged in after the initial report was released.

*** The data provided for applications pending represents a "snapshot" of the number of permit applications pending at the end of the given month.

The image shows the front cover of a spiral-bound notebook. The cover is a light tan or beige color with a subtle, mottled texture. A dark brown border is visible around the edges of the cover. On the left side, a silver-colored metal spiral binding is visible, with the wire looping through a series of holes. The text is printed in a dark blue, serif font, centered on the cover.

Environmental Quality Service Council

Presentation by IDEM

September 5, 2002

IDEM

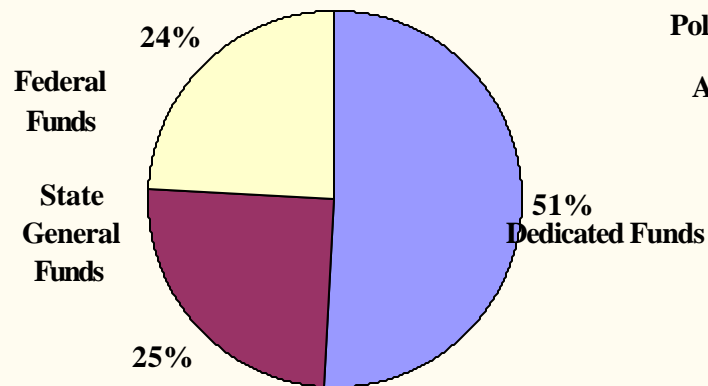
- 4 About 925 employees
- 4 Office of Air Quality
- 4 Office of Water Quality
- 4 Office of Land Quality
- 4 Office of Pollution Prevention and Technical Assistance
- 4 Regional Offices - Northwest, Northern, Southwest
- 4 Office of Enforcement
- 4 Office of Legal Council
- 4 Office of Management and Budget
- 4 Office of Public Policy and Planning

IDEM Permit Programs

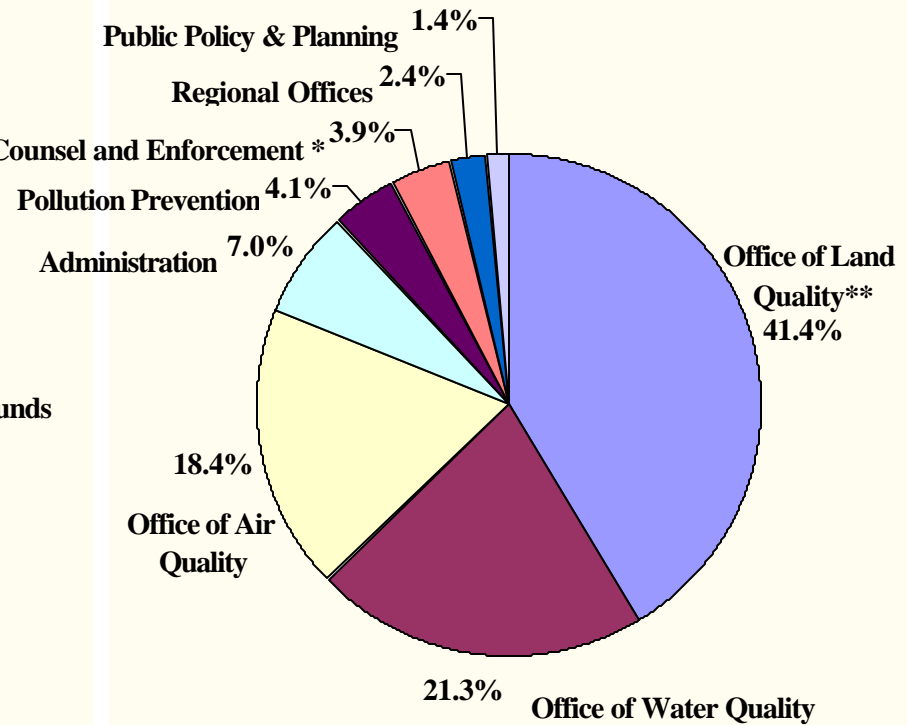
- 4 Process and issue operating permits to all facilities
- 4 Process and issue permits for new facilities and modifications
- 4 Conduct compliance inspections of all facilities
- 4 Review compliance information generated by all facilities
- 4 Educate public and facilities on aspects of rule and permit requirements
- 4 Pursue enforcement where warranted
- 4 Provide legal support to permit programs as needed

FY 2001-2003 IDEM Budget

FY 2001-2003 Budget by Revenue Source



FY 2001-2003 Budget By Activity



* 1.64% of the IDEM Budget is for the Office of Enforcement and 1.79% is for the Office of Legal Counsel.

** About 35% of the Office of Land Quality's Budget is UST Excess Liability Trust Fund monies.

IDEM Budget for '03-'05

- 4 Budget Still Being Prepared, Usually Presented to House Ways and Means in November
- 4 Major Considerations for Next Biennium:
 - 13% overall reduction in general funds (i.e., reduction of \$4.9M)
 - appropriation of the \$4.2 million remaining balance in the Environmental Permit Operation Fund to maintain most of current essential permit services
 - eliminate 22 vacant positions agency-wide
 - continues all cost-cutting measures: reduced travel, reduced reliance on outside contracts, minimal equipment/supplies
 - reductions in rent/leases
 - reduction in laboratory funds for sampling/analysis

IDEM Funding Issues

- 4 Wastewater
 - NPDES Permit Program
 - Stormwater
 - Total Maximum Daily Loads/Water Quality Assessment
- 4 Solid and Hazardous Waste Permit Program
- 4 Safe Drinking Water
- 4 Land Cleanup Programs
 - Superfund Matching Funds
 - State Cleanup Funds
 - Voluntary Remediation Program/Brownfields
- 4 Solid Waste Recycling Grants

Funding Issues and Fees

Fee Presentation Addresses:

NPDES Permit Program

Solid Waste Permit Program

Hazardous Waste Permit Program

Federal Safe Drinking Water Act programs

Federal Stormwater Program

Fee Presentation Does Not Address:

Land Cleanup Programs

Recycling Grants

TMDLs/Water Quality Assessment

Title V/Air Fees

IDEM - Permit Fee History

- 4 1991: Air, Water and Solid Waste Boards pass permit fees
- 4 1992: Court overturns rule fees
- 4 1994: General Assembly authorizes fee schedules for NPDES, solid waste and hazardous waste
- 4 1994: General Assembly authorizes Air Board to establish federal Title V permit fees. Air Board adopts fee schedule.
- 4 No Fees for Drinking Water (public water suppliers)



Proposed Fee Changes - Rationale

- 4 IDEM has used 1994 Permit Fees to significantly improve services
- 4 IDEM has about a \$4.2 million shortfall in available revenues on an annual basis to support essential wastewater and waste permit services
- 4 1994 Fees are ripe for review, given passage of 8 years (e.g., cost of living adjustments) and some changes in the involved industries
- 4 New federal Safe Drinking Water Act mandates require additional resources to provide the public health protection required
- 4 New federal Stormwater mandates require additional resources to effectively implement

Permit Programs: Improved Services

- 4 Timeliness of Permits - Set and Met Permit Deadlines
 - added permit staff
- 4 Increased Staff Retention (higher salaries)
- 4 Increased technical expertise (career technical tracks)
- 4 Outreach/Communication/Technical Assistance Increased
- 4 Increased agency responsiveness to citizens
 - added compliance staff
 - monitor responsiveness to citizen complaints

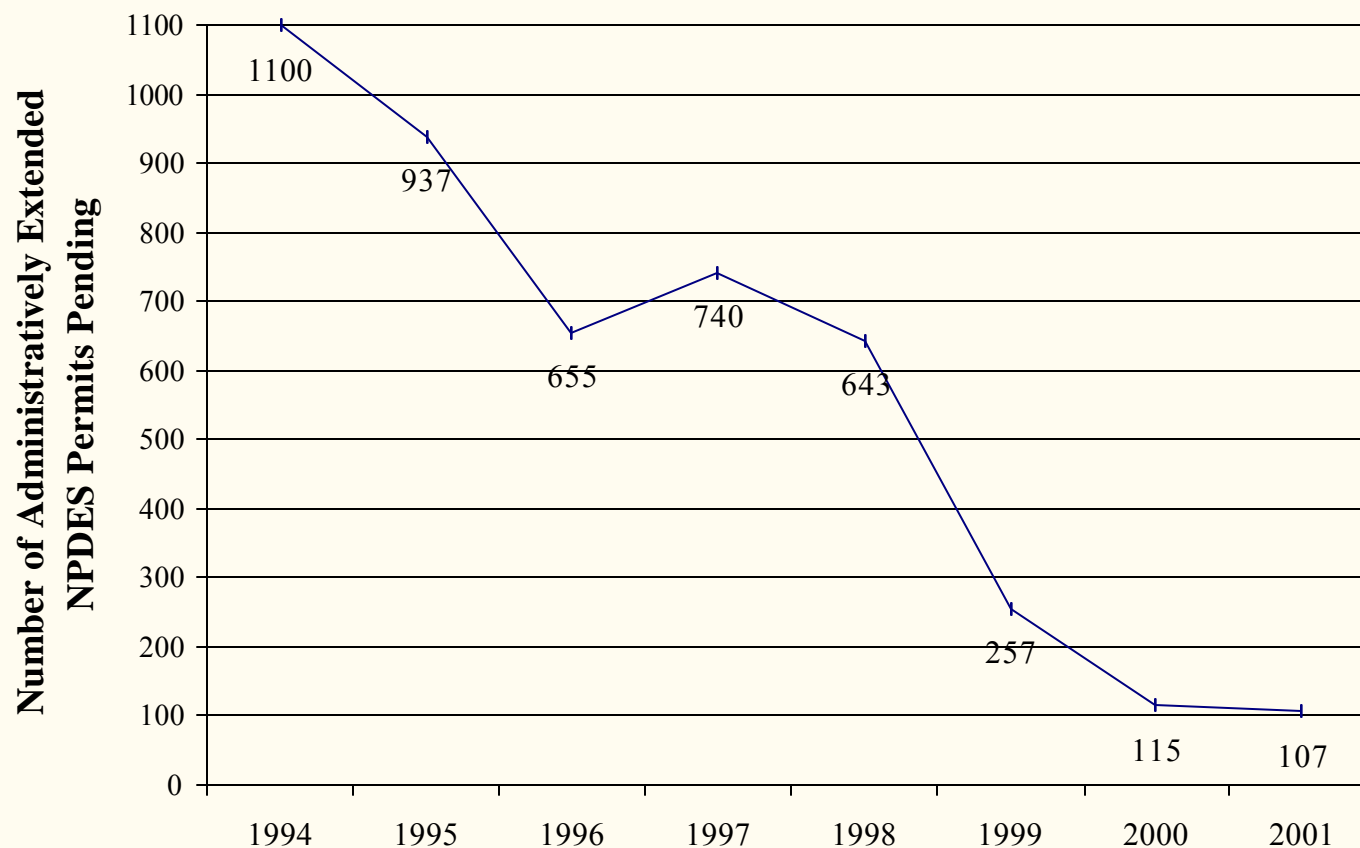
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Meet Permit Deadlines

- 4 EQSC Permit Report
- 4 100% On-Time Permits for Over 4 years*
- 4 Report to EQSC on NPDES Administratively Extended Permits

* One Drinking Water Permit Late in 2002 (2 days)

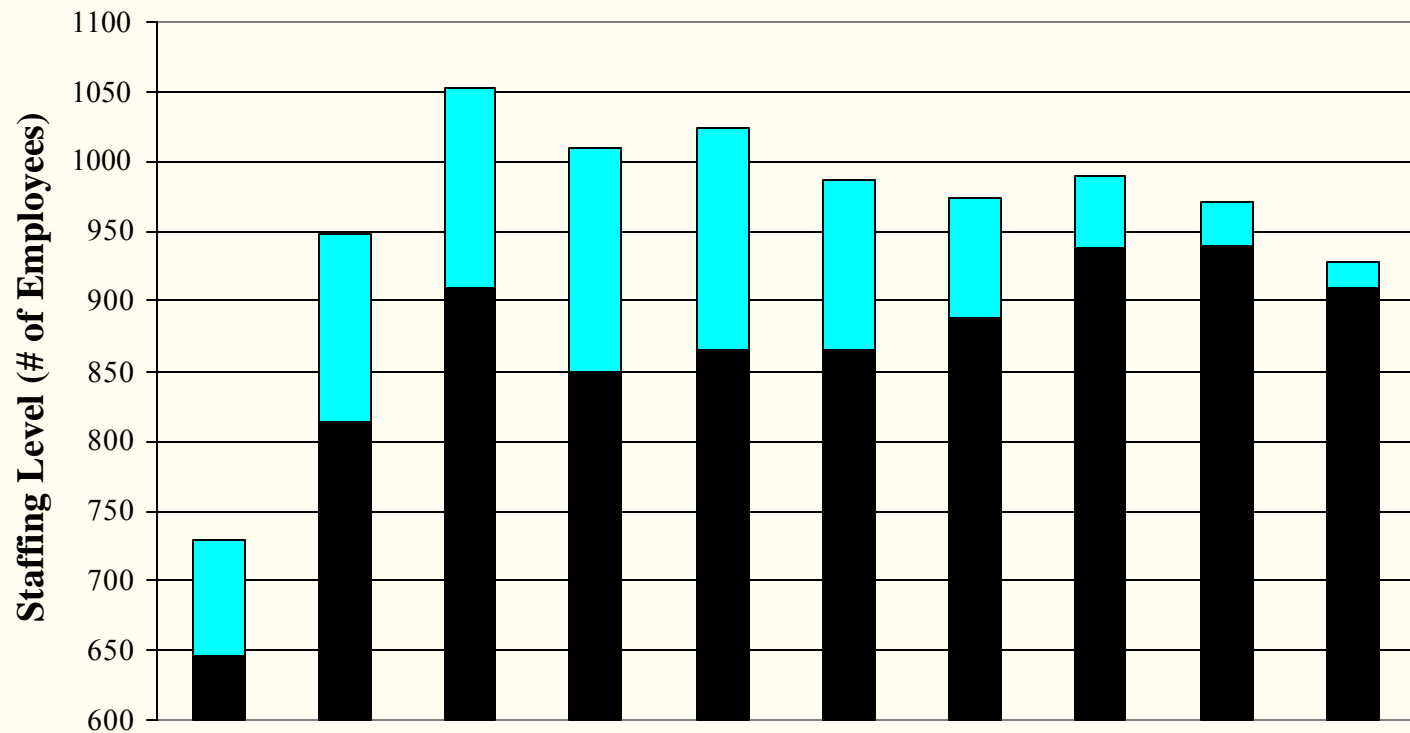
NPDES (National Pollutant Discharge Elimination System) Permit Backlog 1994-2001



	1994	1995	1996	1997	1998	1999	2000	2001	Totals
Backlog (# of Administratively Extended Permits)	1100	937	655	740	643	257	115	107	

IDEM Staffing Levels

1993 - 2002 Through 8/22/02



	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002
Full-Time Staff	646	813	910	849	866	866	888	938	940	910
Temporary Staff	84	136	143	161	158	121	87	51	32	19
All IDEM Staff	730	949	1053	1010	1024	987	975	989	972	929

IDEM Staffing Levels 1994 - 2002

	<u># of Staff</u>	
	<u>1994</u>	<u>2002</u>
Agency Wide Staffing Level	730	929
Office of Land Quality (OLQ)	216	290
Office of Water Quality	142	200

Since the hiring freeze OLQ staff is down by 11 (3.7%), OWQ staff is down by 13 (6.1%), and staff totals agency wide are down by 43 (4.4%).

IDEM Salaries 1994 and 2002

	Entry Level			Average Salary		
	<u>1994</u>	<u>2002</u>	<u>% Increase</u>	<u>1994</u>	<u>2002</u>	<u>% Increase</u>
Senior Environmental Manager 1	\$29,406	\$38,428	31%	\$32,373	\$46,130	42%
Environmental Engineer II	\$24,440	\$37,076	52%	\$33,118	\$44,040	33%
Geologist II	\$26,078	\$34,632	33%	\$26,482	\$41,750	58%
Environmental Manager II	\$26,078	\$34,086	31%	\$27,445	\$38,781	41%

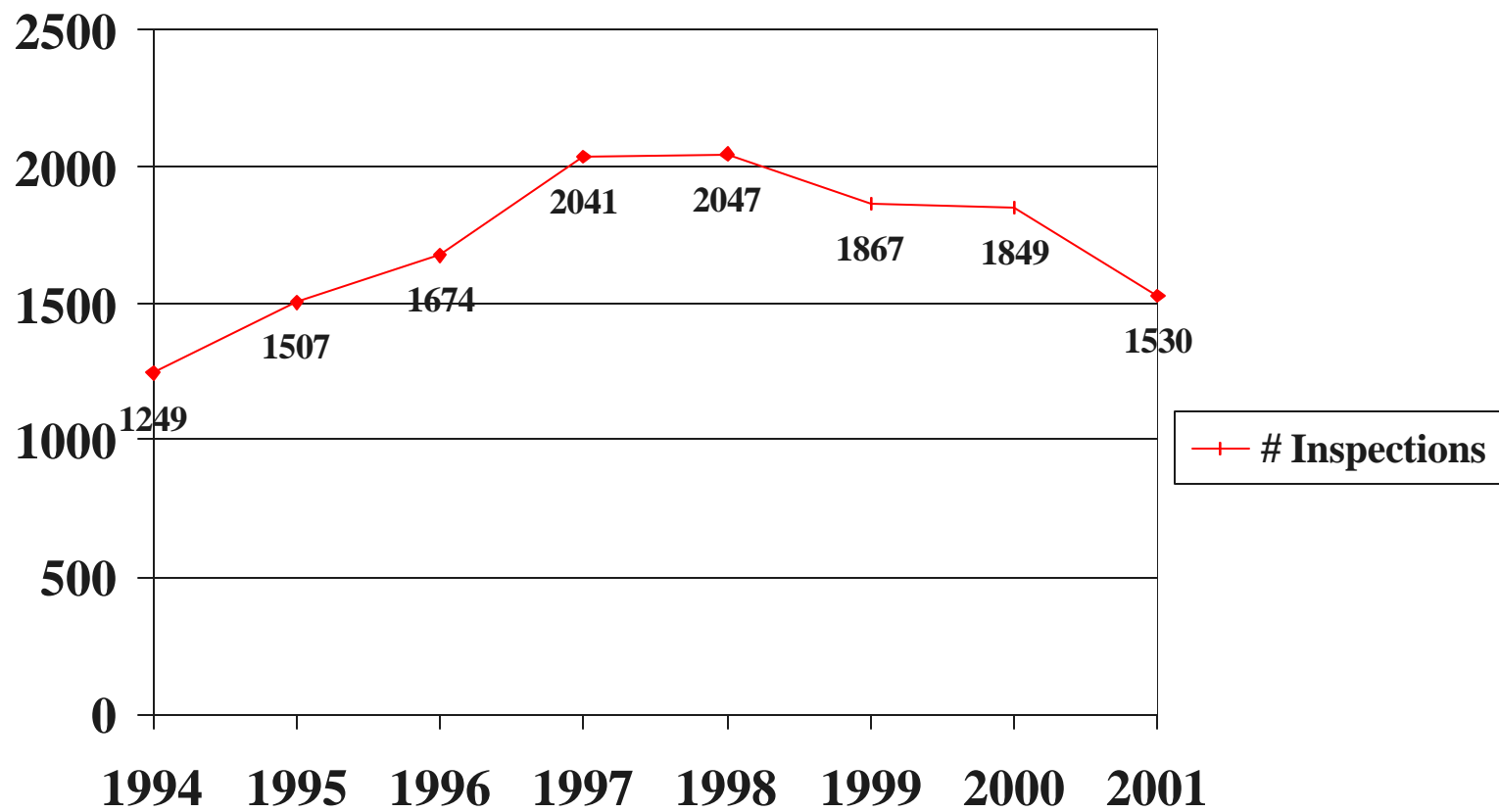
Experience of Staff

	Years of State Experience <u>in 1994</u>	Years of State Experience <u>in 2002</u>
Senior Environmental Manager I	9.73	13.73
Environmental Manager II	7.00	9.28
Environmental Engineer II	9.77	10.33
Geologist II	4.37	8.98

High Level Technical Positions

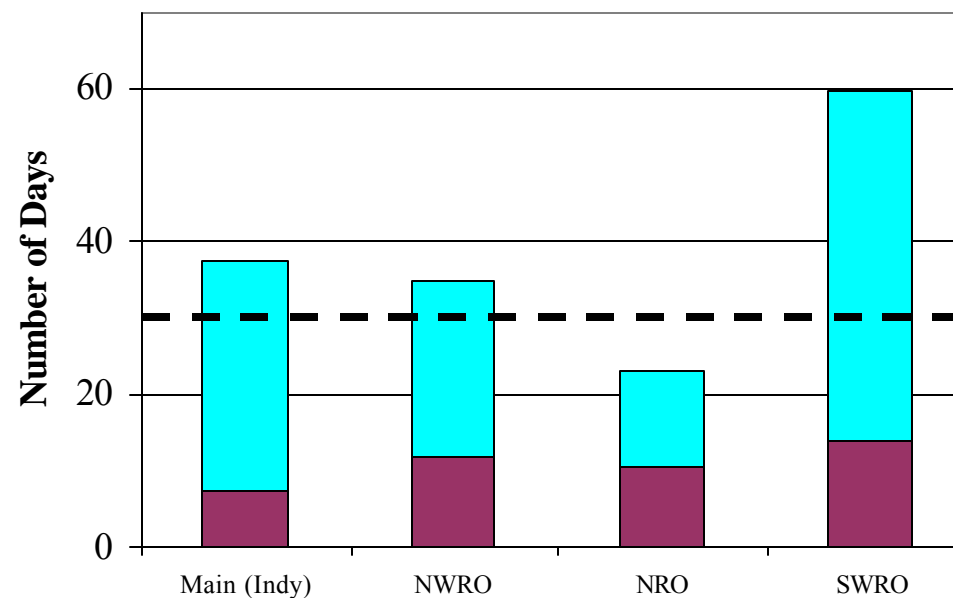
	<u># of Positions in 1994</u>	<u># of Positions in 2002</u>
E7 Technical Environmental Specialists and Engineers	0	19
Senior Environmental Manager I, Environmental Engineer I, and Geologist I	45	165 Tripled
Environmental Manager II	127	247 Almost Doubled



Wastewater Inspections 1994-2001



Complaint Response Times

2001 Year End Summary



	Main (Indy)	NWRO	NRO	SWRO
Avg. # of Days for Results 	30.3	23.2	12.5	45.9
Avg. # of Days to Respond 	7.4	11.7	10.5	13.9



Increased Outreach/Assistance

- 4 Regional Offices
- 4 Community + Agriculture Relations Offices
- 4 Office of Voluntary Compliance
- 4 Office of Business and Legislative Relations
- 4 Pollution Complaint Clearinghouse
- 4 Permit Guide/Permit Team
- 4 EQSC Reporting
- 4 Recognition Programs
- 4 Metal Finishing Strategic Goals Program

IDEM Current Permit Fees

Annual Revenues

4 \$10.1 M

AIR: Title V/construction

4 \$4.0 M

Water: Mainly NPDES

4 \$3.1 M

Solid Waste

4 \$1.4 M

Hazardous Waste

4 \$0.07M

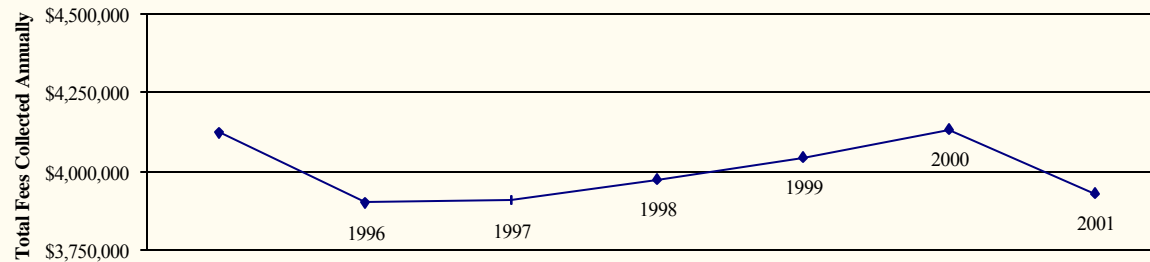
Drinking Water

4 \$18.7M

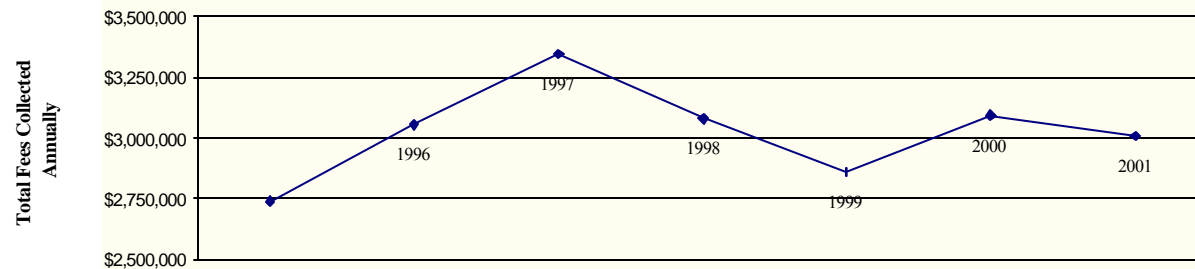
Total

Fee Collection Under SEA 417

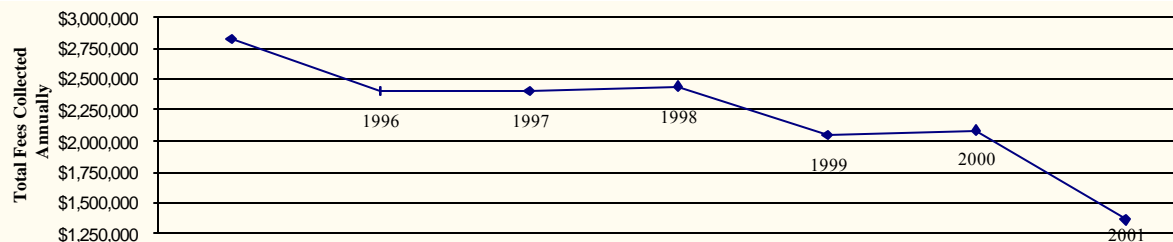
From 1995 through 2001



Program	Original Projection	1996	1997	1998	1999	2000	2001
NPDES	\$4,122,210	\$3,901,274	\$3,909,089	\$3,971,302	4,040,791	\$4,130,594	\$3,927,154



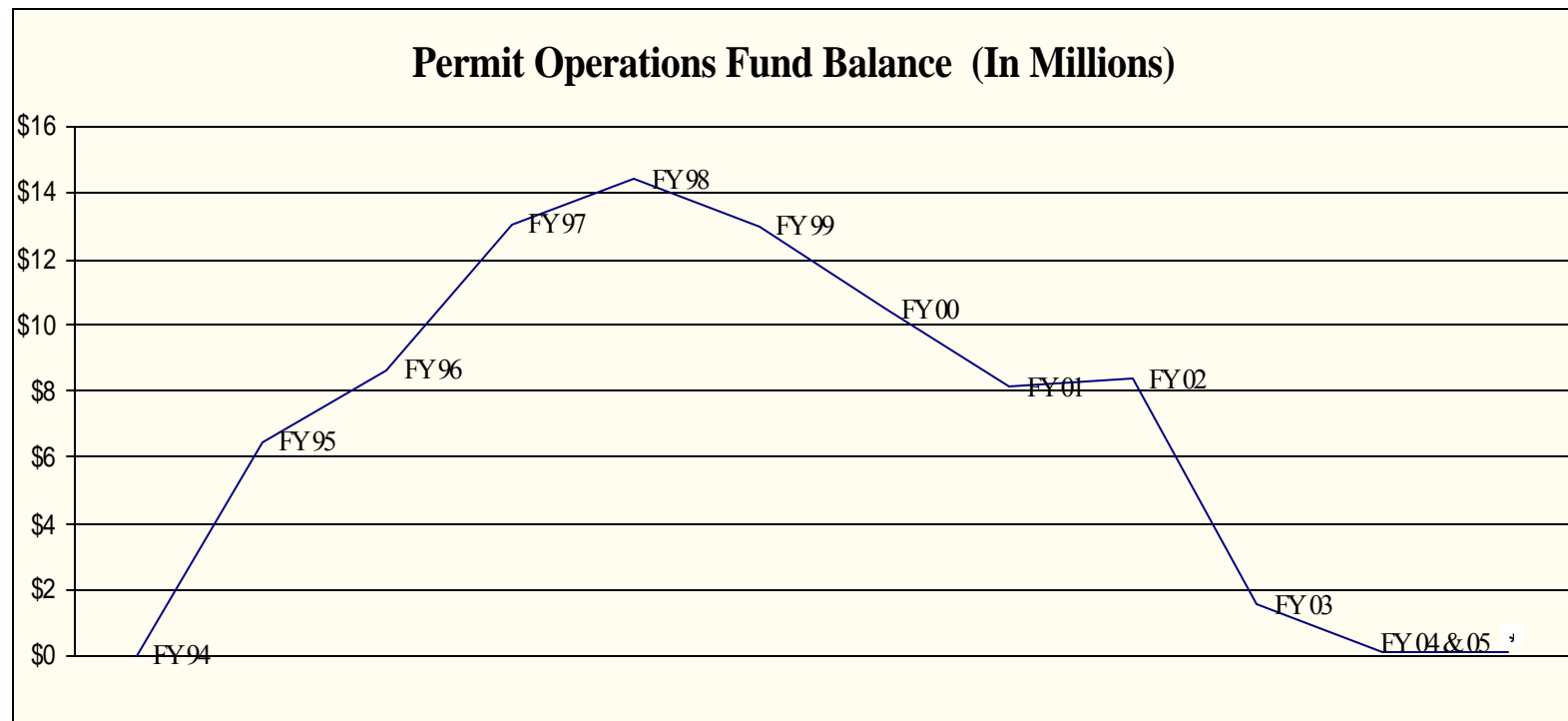
Program	Original Projection	1996	1997	1998	1999	2000	2001
Solid Waste	\$2,735,850	\$3,056,373	\$3,347,137	\$3,080,954	\$2,858,861	\$3,094,828	\$3,006,918



Program	Original Projection	1996	1997	1998	1999	2000	2001
Hazardous Waste	\$2,827,850	\$2,401,711	\$2,399,367	\$2,444,261	\$2,054,016	\$2,082,299	\$1,362,067

Environmental Management Permit Operations Fund

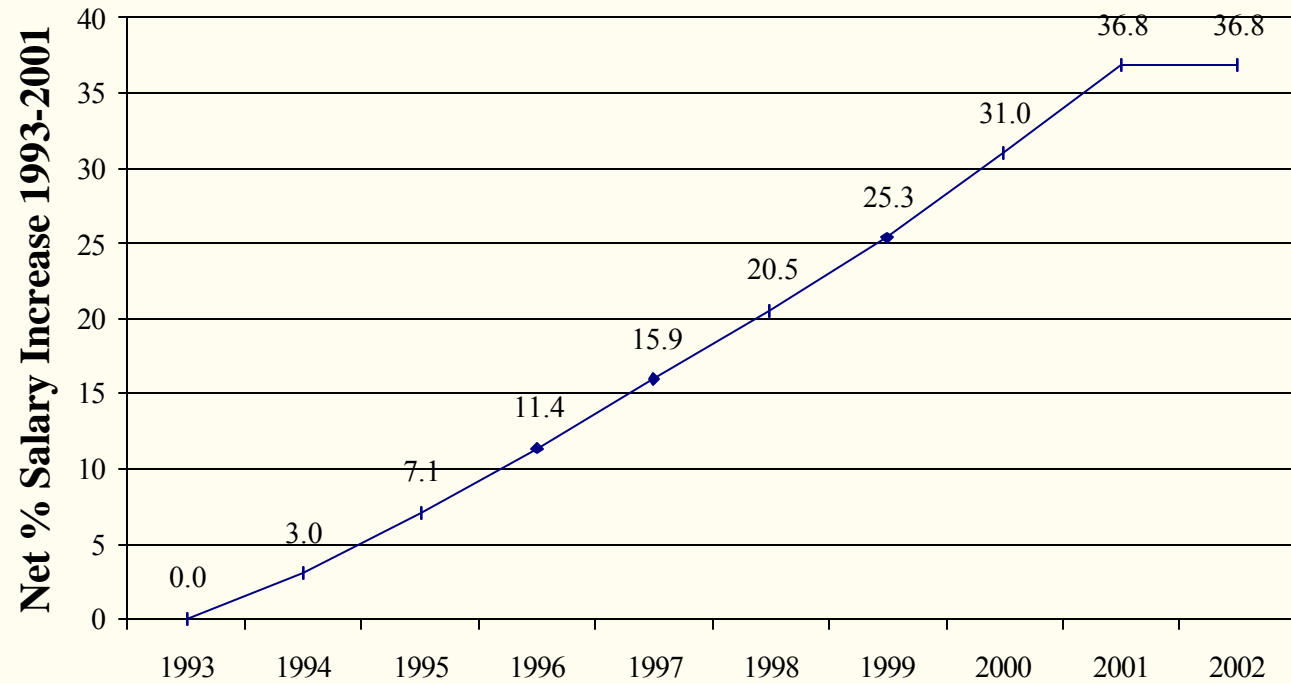
From 1995 through 2005



FY 1994	FY 1995	FY 1996	FY 1997	FY 1998	FY 1999	FY 2000	FY 2001	FY 2002	Estimate for FY 2003	Estimate for FY 2004	Estimate for FY 2005
\$0	\$6,453,262	\$8,642,744	\$13,056,277	\$14,383,066	\$12,987,967	\$10,491,044	\$8,117,037	\$8,411,416	\$1,529,633	-\$2,685,468	-\$6,893,019

* Negative balances will be avoided through reducing expenditures below appropriations and through augmentation if necessary from the Environmental Management Special Fund or other sources

State Employee Cost of Living Salary Adjustments for Professional and Technical Staff Since 1993*



	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002
Annual % Increase	0.0	3.0	4.0	4.0	4.0	4.0	4.0	4.5	4.5	0
Overall % Increase Over 1993 Rate	0.0	3.0	7.1	11.4	15.9	20.5	25.3	31.0	36.8	36.8

*Does not include one-time recruitment differential in 1994 (6-14%).

Wastewater/Waste Program Budget Summary for 2004

	State \$	Permit \$	Federal \$	Budget Total	Total Annual Revenue	"Shortfall"
Water Quality	\$5,452,587	\$4,178,650	\$1,570,282	\$12,404,202	\$11,201,519	\$1,202,683
Solid Waste	\$1,990,625	\$3,063,000	\$0	\$5,778,424	\$5,053,625	\$724,799
Hazardous Waste	\$2,469,511	\$1,350,000	\$2,676,296	\$8,756,425	\$6,495,807	\$2,260,618
Drinking Water	\$541,286	\$44,926	\$1,950,276	\$2,536,488	\$2,536,488	*
Total	\$10,454,009	\$8,636,576	\$6,196,854	\$29,475,539	\$25,287,439	\$4,188,100

* Drinking Water revenue needs addressed separately.

Without Increases in Wastewater/Waste Funding:

- 4 About 75 permit related and support positions may have to be eliminated in 2004/5
- 4 Meeting permit timelines will have to be balanced with compliance and monitoring responsibilities
- 4 Progress will be reversed in NPDES permit backlog
- 4 Technical Assistance efforts may be reduced
- 4 Complaint Response and Compliance work may decrease
- 4 EPA may assume or retain direct authority for:
 - pretreatment permitting for wastewater
 - Phase II stormwater
 - Safe Drinking Water Act
 - RCRA permitting and corrective action
 - NPDES (partial or full)

Wastewater Fee Options Could Include:

Wastewater

Estimate of New Revenue

- | | |
|--|-------------------------------|
| 1. 10-30% Adjustment to NPDES Annual | \$380K - \$1.14M |
| - Major Municipals | (\$110K - \$330K) |
| - Minor Municipals | (\$83K - \$250K) |
| - Major Industrials | (\$84K - \$252K) |
| - Minor Industrials | (\$38K - \$114K) |
| - Others | (\$75K - \$225K) |
| 2. Establish Sewer Construction Permit Fees | \$300K (@\$300/sewer project) |
| 3. Increase Stormwater Rule 6 Fees | \$160K (@200/year) |
| 4. Establish NPDES fees for site-specific studies | \$50K - \$150K |
| 5. Increase Wastewater Operator Certification Fees | \$70K (\$60/license?, double) |
| 6. Establish Pretreatment Program Audit Fee | \$150K (45 municipalities?) |
| 7. Establish CSO LTCO Review/Audit Fee | \$150K (106 municipalities) |
| 8. Others? | |

Waste Fee Options Could Include:

Waste	Estimate of New Revenue
1. 10-30% Adjustment to Solid Waste Fees	\$200K - \$599K
- Landfill Annual	(\$144K - \$431K)
- Transfer Stations Annual	(\$12K - \$36)
- Construction Fees	(\$44K - \$132K)
2. 10-30% Adjustment to Hazardous Waste Fees	\$130K - \$392K
- Treatment, Storage Disposal Annual	(\$39K - \$118K)
- Large Quantity Generator Annual	(\$86K - \$259K)
- Construction Fees	(\$5K - \$15K)
3. Establish Small Quantity Generator Fees	\$600K (@\$300/generator)
4. Increase Solid Waste Disposal Fee	\$1.45M (to \$0.25/ton)
5. Establish Corrective Action Hourly Rate Billing	\$300-500K
6. Establish Per Ton Hazardous Waste Disposal Fee	\$350K (@ \$1/ton fee)
7. Other?	

A graphic of a spiral-bound notebook with a brown cover and a white page. The spiral binding is on the left side. The text "Regarding Drinking Water" is written in a dark blue serif font at the top of the page, underlined.

Regarding Drinking Water

Safe Drinking Water Funding

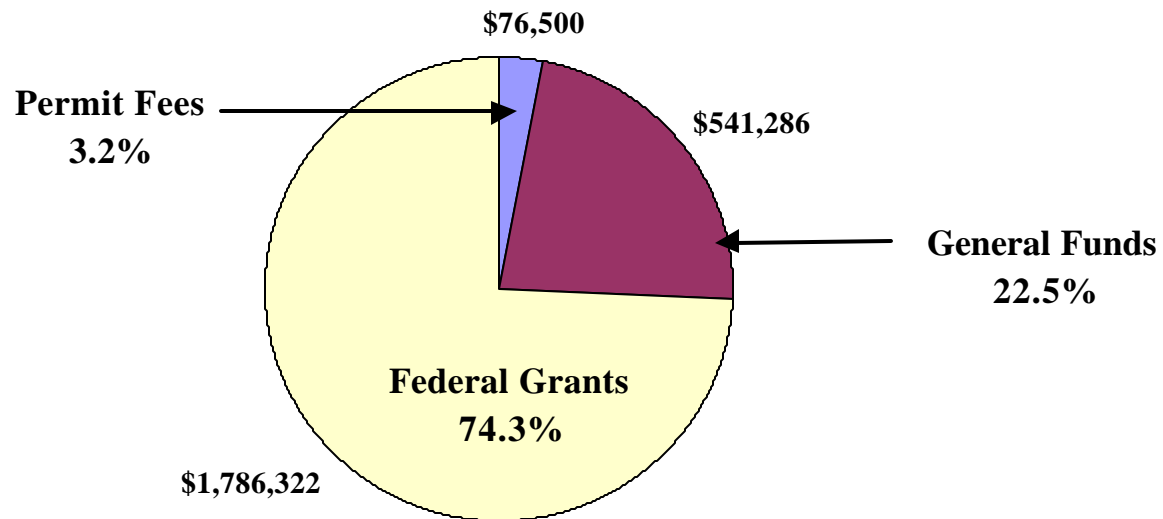
- 4 IDEM has lead role for the federal Safe Drinking Water Act (since 1991)
- 4 IDEM ensures that all public water supply systems in Indiana are designed and operated to protect public health
- 4 Safe Drinking Water Act Amendments in 1996 added substantial responsibilities to states and public water suppliers
- 4 Many key SDWA requirements are just now effective or being implemented
- 4 Most Indiana's public water suppliers will be upgrading their systems and approaches in the coming decade



Examples of New, Key Safe Drinking Water Act Programs

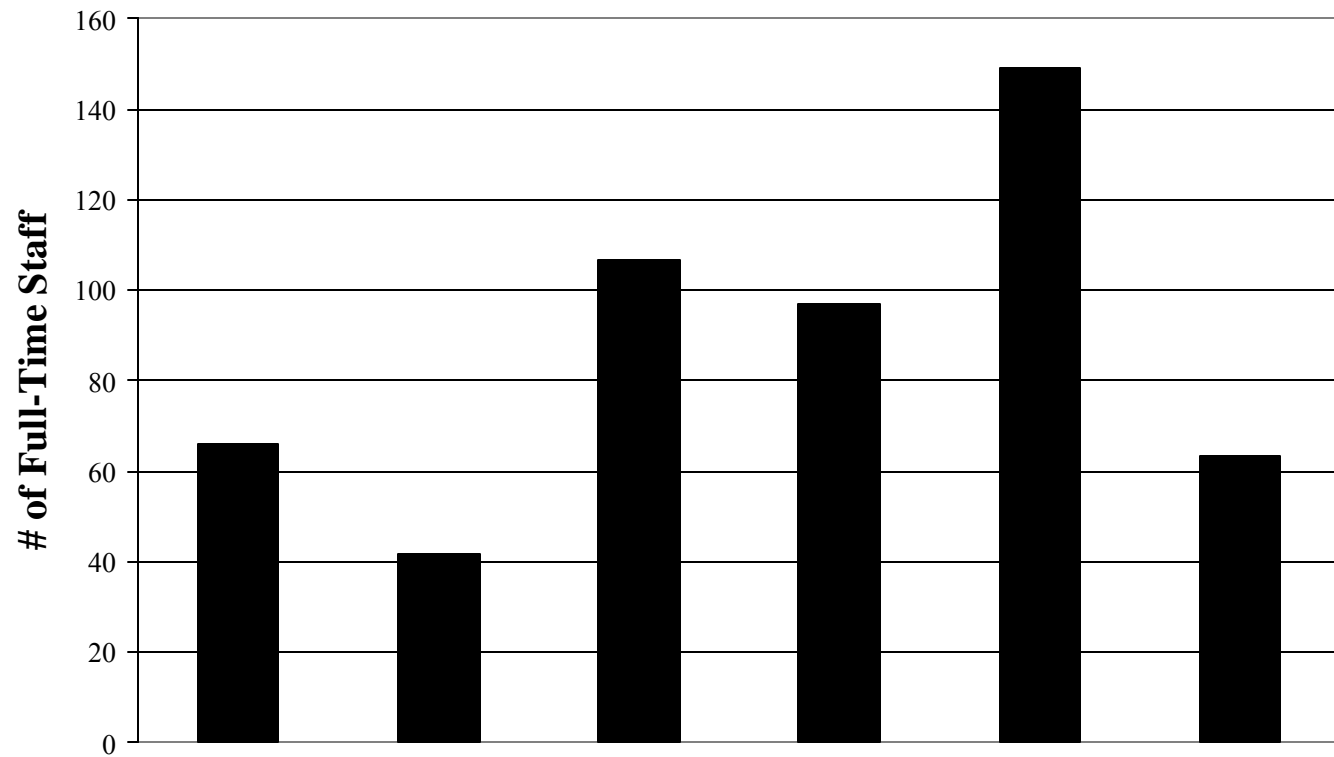
- 4 Wellhead Protection Program
- 4 Operator Certification Requirements
- 4 Drinking Water State Revolving Loan Fund
- 4 Public Water Supply Capacity Development
- 4 New Surface Water Treatment Rules
- 4 Disinfection/Disinfection Byproducts Rules
- 4 Lead and Copper Rule Revisions
- 4 Source Water Assessments
- 4 Public Notice Rule
- 4 Arsenic Requirements
- 4 Consumer Confidence Reports

Current IDEM Drinking Water Budget



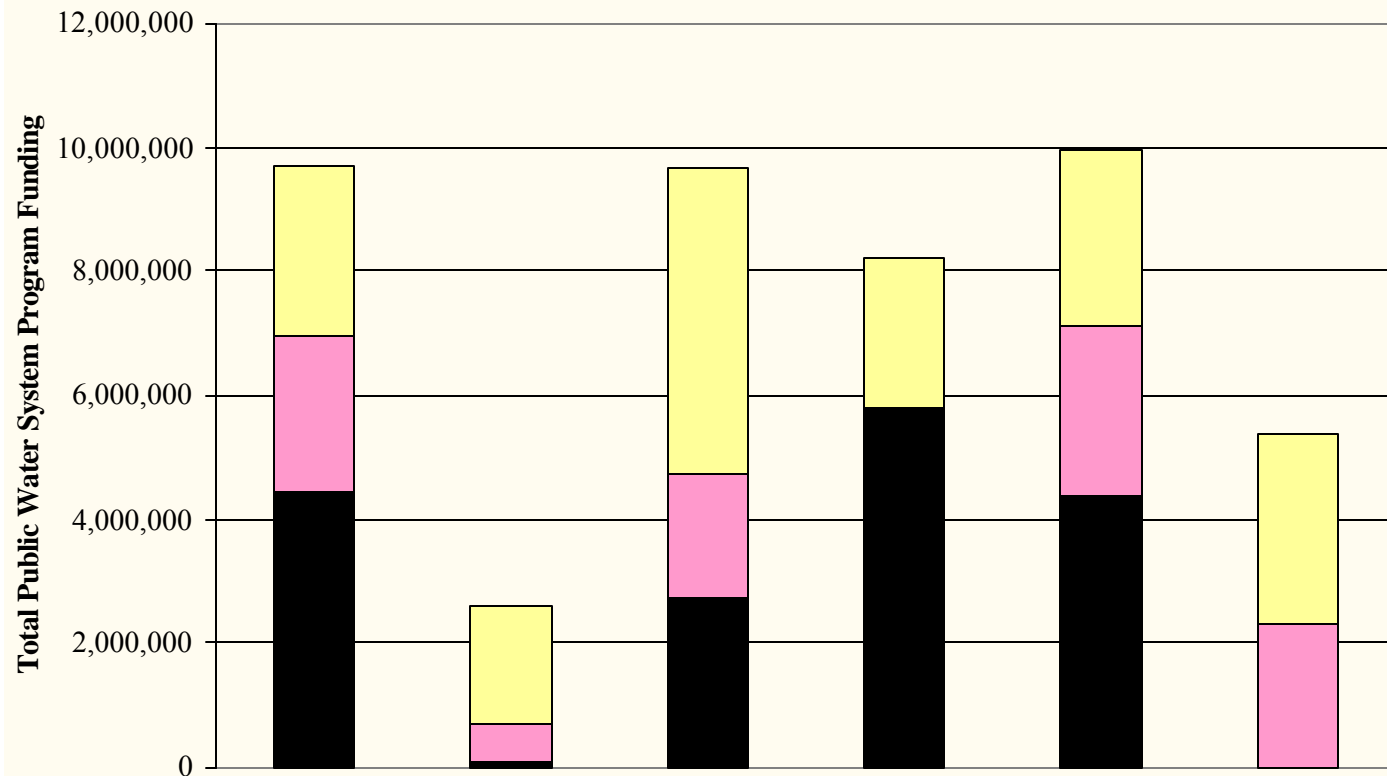
Drinking Water Facility Construction Permit Fees	\$76,500
General Fund Revenues	\$541,286
Federal Grant Funds	\$1,786,322
Total Funding	\$2,404,108

Full-Time Employees Implementing Public Water System Programs in Region V States



	Illinois	Indiana	Michigan	Minnesota	Ohio	Wisconsin
# of Full-Time Staff	66	41.5	107	97	149	63.5

Region V States Drinking Water Program Revenues



	Illinois	Indiana	Michigan	Minnesota	Ohio *	Wisconsin
Fee Revenues	\$4,435,000	\$76,500	\$2,750,000	\$5,800,000	\$4,400,000	\$0
State Match	\$2,500,000	\$629,767	\$1,972,900	\$0	\$2,715,000	\$2,300,000
Federal & Other Funds	\$2,786,600	\$1,889,300	\$4,949,500	\$2,410,200	\$2,854,200	\$3,085,900
Total Funding	\$9,721,600	\$2,595,567	\$9,672,400	\$8,210,200	\$9,969,200	\$5,385,900

* The Ohio figures are based on 1997 and 1998 information, while the figures for the other states are based on their current estimates.

Current Situation

- 4 IDEM has begun to implement increased Safe Drinking Water Act requirements without new 'permanent' funding
- 4 IDEM has used about \$2.5 million in one-time funding from State Revolving Loan Fund for startup work on source water assessments, wellhead protection and technical assistance
- 4 IDEM is using up to \$1million annually from the Drinking Water State Revolving Loan Fund to administer key rules
- 4 For 2001, 2095 systems were in non-compliance for some aspect of Safe Drinking Water Act (monitoring or MCLs)
- 4 In coming decade, almost all 4,263 systems will have to make revisions to meet new requirements
- 4 IDEM was able to inspect 76.2% of the 869 community water systems over the past three years, but only 40.9% of the 633 non-transient systems and 17.8% of the 4,263 transient non-community systems



Consequences of No New Funding

- 4 Indiana may lose some or all of its Drinking Water SRF federal funds
- 4 IDEM will continue to pursue diversion of SRF funds to administering Safe Drinking Water Act
- 4 EPA may withdraw or will continue to question Indiana's primacy
- 4 Possible delayed response when a contaminant is detected
- 4 Limited ability to assist systems in improving security
- 4 More customers of public water supply systems may receive unhealthy water



Benefits to systems of funding increase

- 4 Identification and building capacity of “at risk” systems; including engineering, operational and fiscal management assistance
- 4 Direct sampling assistance to smallest systems for current and new groundwater rule requirements
- 4 Increased outreach to all systems on surface water treatment, disinfection/disinfection byproduct and groundwater rules
- 4 Assistance in addressing security issues, such as vulnerability assessments, emergency response plans
- 4 Assistance to update wellhead protection plans
- 4 Explore streamlining of monitoring and reporting procedures

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Benefits to public of increased funding

- 4 Higher Safe Drinking Water compliance rates
- 4 Safer, cleaner water
- 4 More public information on quality of drinking water
- 4 Greater security from threats to systems

Who Would Pay Fees?

- 4 All public water supply systems
(unless excepted by the board or statute)
- 4 Includes municipalities, private water companies, restaurants, businesses, trailer parks etc.
- 4 Assume Water Board would establish graduated fee system based on size

Examples of Annual Fee Schedules

Example of a Community System Fee Structure:

No. of Population Served	No. of CWS	Proposed Fee	Projected Annual Revenue
25 - 100	201	\$300	\$60,300
101 - 250	91	\$400	\$36,400
251 - 500	82	\$500	\$41,000
501 - 1000	135	\$750	\$101,250
1001 - 3300	195	\$1,000	\$195,000
3301 - 5000	45	\$2,500	\$112,500
5001 - 10000	67	\$5,000	\$335,000
10001 - 50000	58	\$7,500	\$435,000
50001 - 100000	8	\$10,000	\$80,000
Over 100001	5	\$15,000	\$75,000
Total Revenue			\$1,471,450

Example of a Transient Non-Community System Fee Structure:

Types of TNCWS	No. of TNCWS	Proposed Fee	Annual Revenue
Groundwater	2702	\$150	\$405,300
Purchase	1	\$100	\$100
Surface	7	\$300	\$2,100
Total Revenue			\$407,500

Example of a Non-Transient Non-Community System Fee Structure:

No. of Population Served	No. of NTNC WS	Proposed Fee	Projected Annual Revenue
25 - 100	250	\$250	\$62,500
101 - 250	125	\$300	\$37,500
251 - 500	123	\$400	\$49,200
501 - 1000	112	\$500	\$56,000
1001 - 3300	31	\$750	\$23,250
3301 - 5000	1	\$1,000	\$1,000
5001 - 10000	0	\$2,500	\$0
10001 - 50000	0	\$5,000	\$0
50001 - 100000	0	\$5,000	\$0
Over 100001	0	\$5,000	\$0
Total Revenue			\$166,950

Example of the Total of the Possible Revenue Generated by Fees

Types of Example Fee Structure	# of Facilities	Annual Revenue
Community Systems	887	\$1,471,450
Non-Transient Systems	644	\$166,950
Transient Systems	2710	\$407,500
Total Revenue		\$2,045,900

Examples of Annual Fee Schedules (con't)

- 4 Fee schedules on the previous page were flat fees, but annual fees could be based on a per service connection, as shown below
- 4 4,432,094 (72.9%) of Indiana's 6,080,485 citizens are served by community water systems
- 4 Based on the standard equivalency of 2.7 persons per service connection, there are 1,641,516 service connections in Indiana, which would generate **\$2,051,895 annually** at \$1.25 per service connection
- 4 Here are examples of fees collected from various community systems:
- 4 A flat fee could be assessed for non-community systems

Example of Water System in this Category	No. of Service Connections	Estimated Fee per System Example (@ \$1.25/ServCon)
Mobile Home Parks (MHP)	15	\$18.75
Servia Water Works & MHPs	39	\$48.75
Whitestown Water Works	175	\$218.75
Akron Water Department	370	\$462.50
Petersburg Water Company	1,222	\$1,527.50
Logansport Municipal Utility	1,700	\$2,125.00
Greencastle Dept. of Water	3,696	\$4,620.00
Elkhart Public Works	17,077	\$21,346.25
Hammond Water Works	32,444	\$40,555.00
Indianapolis Wate Company	320,520	\$400,650.00

How Could Fee Schedule Be Determined?

- 4 Incorporate Fee Schedule in Statute, or
- 4 Establish Authority for Water Board to Establish Fee Schedule By Rulemaking
- 4 Legislation could cap total amount of fee schedule to \$2 million.
- 4 Board public rulemaking process would be followed to identify reasonable fee schedule.

NPDES Stormwater Permit Fees

- 4 IDEM does not have funding source to implement Phase II MS4 Permits
- 4 Between 160 and 200 urbanized areas will be subject to new federal program through Rule 13
- 4 MI and other states pursuing fees to fund implementation
- 4 Legislation could establish fee schedule or could establish authority for the Water Pollution Control Board to establish fee schedule through public rulemaking
- 4 Funding needs of approximately \$200K to effectively oversee implementation of Rule 13 (e.g., 160 to 200 urbanized areas @\$1000/year fee)



*National Pollutant Discharge
Elimination System
(NPDES)*

**Proposed Phase II
Requirements**



History



1972 Federal Clean Water Act

1990 Federal Phase I Storm Water program implemented

1992 State of Indiana Phase I Storm Water regulations finalized

1999 Final Federal Phase II Storm Water regulations published December 8

Storm Water Pollutants

- **Sediment**
- **Nutrients**
- **Bacteria**
- **Oxygen Demand**
- **Oil and Grease**
- **Trace Metals**
- **Toxic Chemicals**
- **Chlorides**
- **Thermal Impacts**











State of Indiana

Storm Water Program



RULE 5: storm water discharges associated with
construction activity

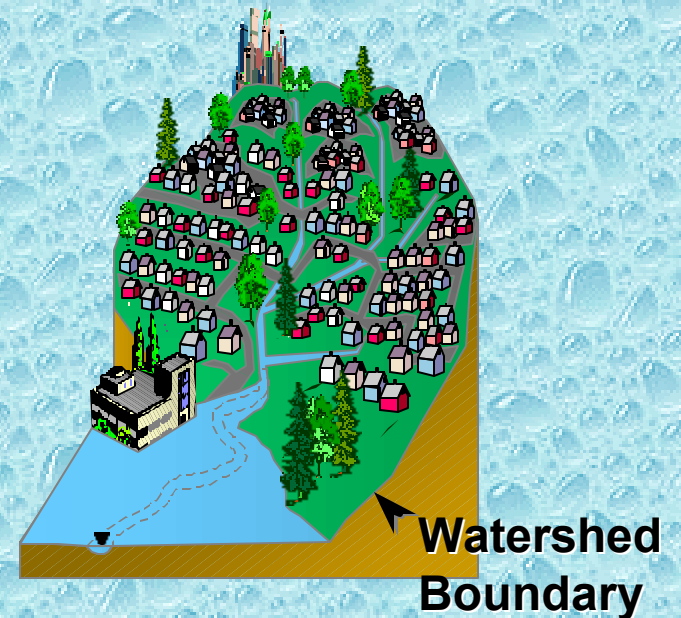
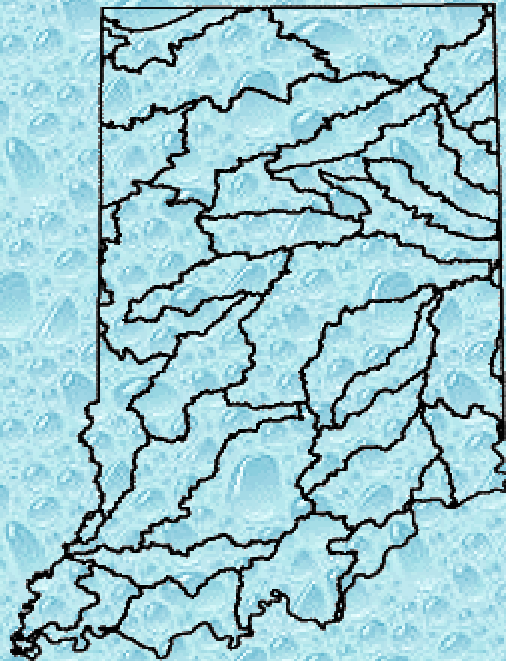
RULE 6: storm water discharges associated with
industrial activity

RULE 13: storm water discharges associated
with municipal activity

Federal Phase II Changes

Purpose: Develop Comprehensive Storm Water Program

- Construction activities greater than 1 acre
- Industrial “No Exposure” Exemption
- Small municipalities and urban fringe (MS4 conveyances)



Rule 13 Deadlines



State to adopt federal requirements: December 2002

State rule effective date: March/April 2003

**Application for permit: June/July 2003, or
6 months from State Notification**

Rules 5 and 6 Deadlines

- **Rule 5 on same federal schedule as Rule 13;
Rule 6 discretionary**
- **IDEM still working with public on specifics of
Rule 5 and Rule 6 changes**
- **Timetable will start with preliminary adoption,
likely in November**
- **Revised Rules 5 and 6 expected to be effective in
mid-2003**

Stormwater Rulemaking Goals

- **Establish Stormwater Management Programs for Indiana's Urbanized Areas**
- **Extend Construction Activity Stormwater Requirements to 1-Acre Projects (from current 5-Acre projects)**
- **Add New "Conditional No Exposure Exclusion" into Industrial Stormwater Rule**
- **Meet Requirements in Federal Law**
- **Improve Effectiveness of Existing Rule 5 and 6 by addressing problems with current rules/implementation**

Rule 5 - Construction Permits

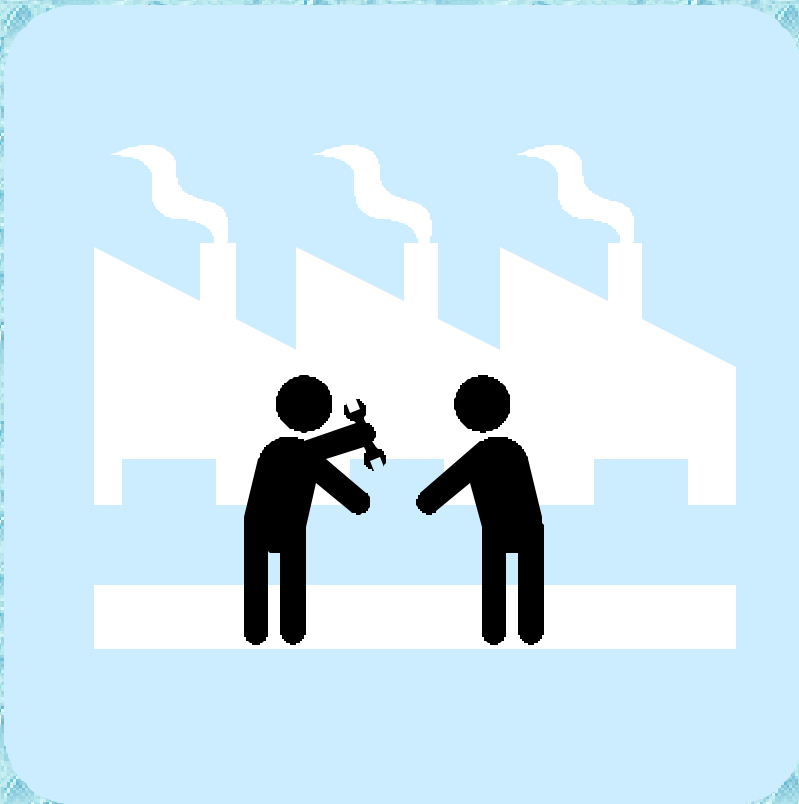
IDEM has the regulatory and enforcement authority for the Rule (NOI)

IDNR provides compliance expertise and inspections

SWCDs provide support and plan review



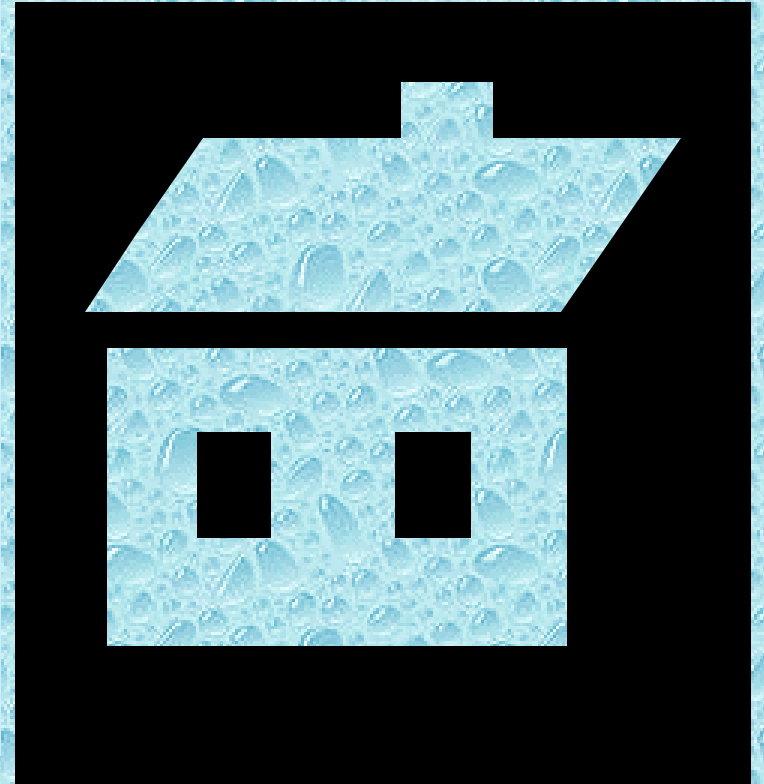
Rule 6 - Industrial Permits



- **Covers only certain industries**
- **Notice of Intent (NOI)**
- **Pollution Prevention Plan**
- **Sampling**

Conditional “No Exposure” Exclusion

- **Mirrors Federal Program**
 - **Storm Resistant Shelter**
 - **No Exposure Certification form**
 - **Guidance Document**



Rule 13 - Municipal Permits

- **Notice of Intent Application**
- **Storm Water Quality Management Plan**
- **6 Minimum Control Measures**





What is an MS4?

A municipal separate storm sewer system (MS4) is:

A conveyance or system of conveyances (including roadside ditches)... owned by a State, city, town, or other public entity that discharges to waters of the U.S. and is:

- designed or used for collecting or conveying storm water
- not a combined sewer
- not part of a Publicly Owned Treatment Works (POTW)

Meeting MS4 Requirements

- **Satisfy Minimum Control Measures**
 - **Use Existing Programs**
 - **Develop New Programs**
 - **Targeted Best Management Practices (BMPs)**
- **Co-permittee Options & Legally binding agreements with other entities**
- **Secure Funding Sources**

Minimum Control Measure #1

Public Education and Outreach

Educate Your Residents

Educate Your Businesses

Establish priorities for outreach programs:

- Proper septic system maintenance
- Prevent lawn chemical runoff
- Local stream restoration
- Storm water drain marking

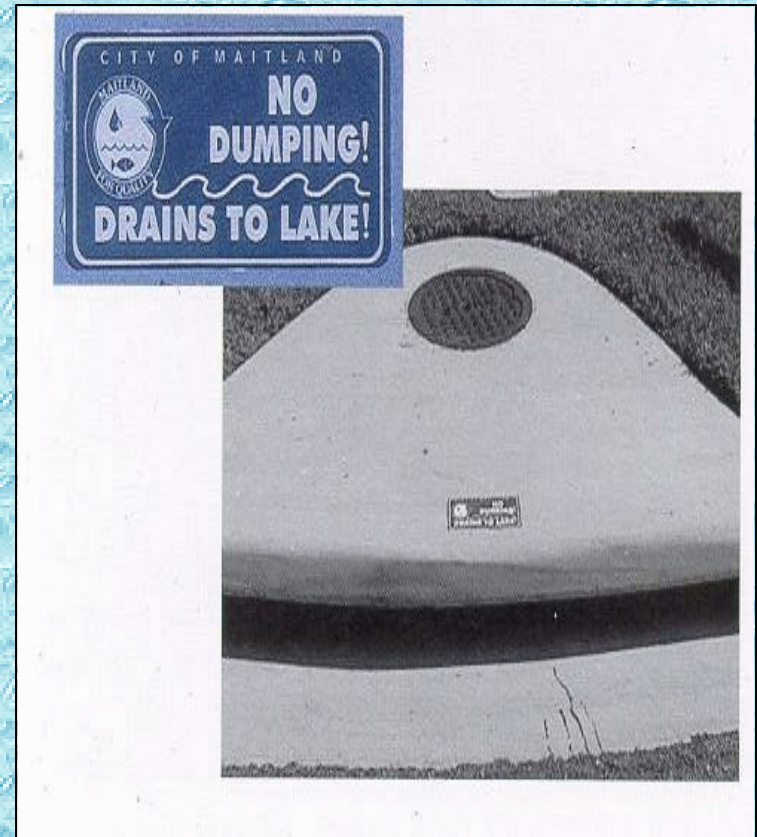


Public Involvement/Participation

Comply with state/local public notice requirements.

Involve the public

- **Reach and engage all economic and ethnic groups**
- **Establish a citizen's group to participate in decision-making**
- **Hold public hearings**
- **Work with volunteers**



Illicit Discharge Detection and Elimination

**Map your storm water
system**

Prohibit illicit discharges

Illicit discharge awareness

Outfall screening



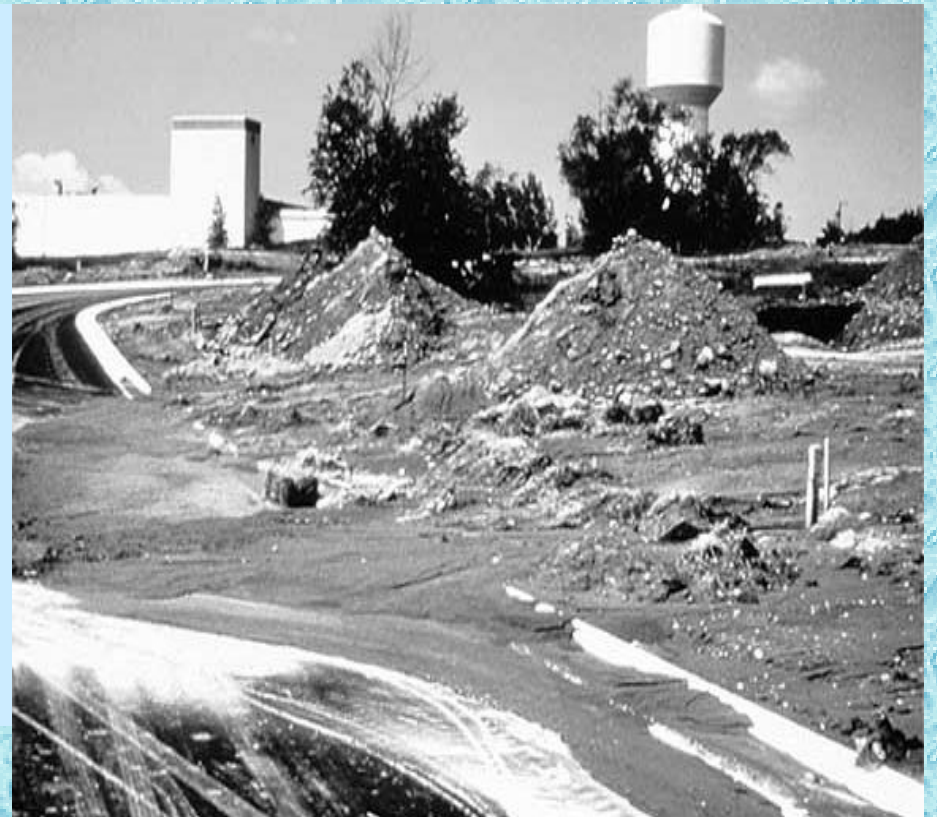
Construction Site Storm Water Runoff Control

Erosion Ordinance

Erosion Control Plan review

Inspections during construction

Penalties for noncompliance



Minimum Control Measure #5

Post-Construction Storm Water Management in New Development and Redevelopment

Runoff control policies

Sensitive area protection

Minimize impervious surfaces

**Utilize Best Management
Practices (BMP's)**

- **Optimize Open Space**
- **Retention/detention ponds**
- **Swales, sand filters, filter strips**
- **Recharge basins, porous, and pavement**



Minimum Control Measure #6

Pollution Prevention / Good Housekeeping for Municipal Operations

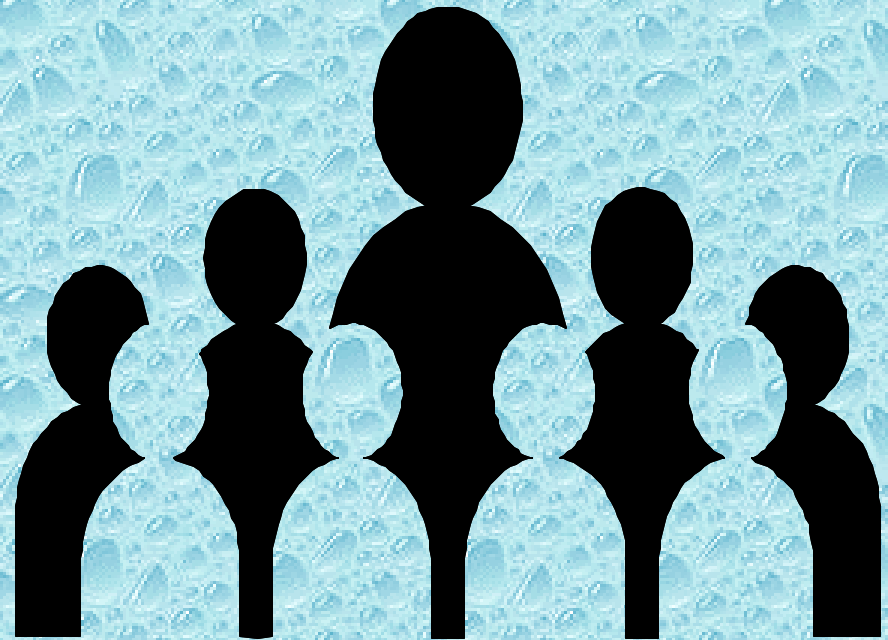
**Prevent water pollution from city
operations and construction
activities**

- **Park and open space maintenance**
- **Fleet maintenance**
- **Better planning**
- **Buildings and Grounds
Maintenance**
- **Storm drain system maintenance**
- **Street Sweeping and Litter
Control**



Rule 13 Development

- **Workgroup Members**
- **Workgroup Meetings**
- **Development of
Accompanying Technical
Guidance Document**
- **Continued input on Rule
13 as the rulemaking
progresses**



Main Policy Issues

Rule 5

- **How best to improve current program where DNR/Soil Water Conservation Districts find as many as 75% or more of plans submitted are inadequate?**
 - **Submittal of NOI 30 days prior to construction activities**
 - **informing all contractors of the Rule 5 terms**
- **Whether to Require Measures to ensure design incorporates effective stormwater management after construction is complete? (this was a Phase I omission)**
- **Should IDEM limit changes to federal mandated change?**
- **Should Rule 5 incorporate the Federal Waivers?**

Main Policy Issues

Rule 6

- Should “No Exposure Inclusion” be self-proclaimed or is it granted after review by IDEM?
- Should “omissions” from Phase I be added to rule?:
 - 5 year NPDES permit cycle
 - proof of publication to meet public noticing requirements
 - notice of termination requirements
- Should any non-federal changes be made?:
 - Inclusion of Landfills, Transfer Stations, AG Chemicals, Truck Refueling
 - Require more information in the NOI (I.e., at submittal of application rather than as part of stormwater management plan)
 - revise the monitoring requirements
 - stormwater pollution prevention plan: specifications and program intent

Main Policy Issues

Rule 13

- **Water Pollution Control Board preliminarily adopted the rule on August 14**
- **Stakeholders supported preliminary adoption, requested further work on following issues:**
 - **Whether to incorporate the federal ‘waivers’?**
 - **When should newly designated entities (from the 2000 UA maps) have to apply for permit coverage?**
 - **Areas of Rule 13 that they feel are too prescriptive in their approach**
 - **Screening all storm water outfalls for illicit discharges**
 - **Post construction contains requirements for land use planning**
 - **minimization of pesticide/fertilizer use, location of canine parks**

Next Steps

- **Rules 5 & 6 Public Meetings - scheduled for September 24 and 26**
- **Rule 13 Guidance Document Development Meeting - Next Meeting Expected at end of October**
- **MS4 Outreach & Assistance**
- **Pursue Final Adoption for Rule 13 at end of year**
- **Pursue Preliminary Adoption for Rules 5 and 6 by November**
- **Include fees for implementing the Phase II stormwater program as part of IDEM Fee Proposals**

Questions/More Information

EPA Headquarters

Web site: www.epa.gov/owm/sw/phase2

E-mail: sw2@epa.gov

Phone: (202) 260-5816



Questions/More Information

IDEM Storm Water Group

Web site:

[www.state.IN.gov/idem/water/
compbr/wetwthr/storm/index.html](http://www.state.IN.gov/idem/water/compbr/wetwthr/storm/index.html)

E-mail: lgates@dem.state.in.us

Phone: (317) 233-6725



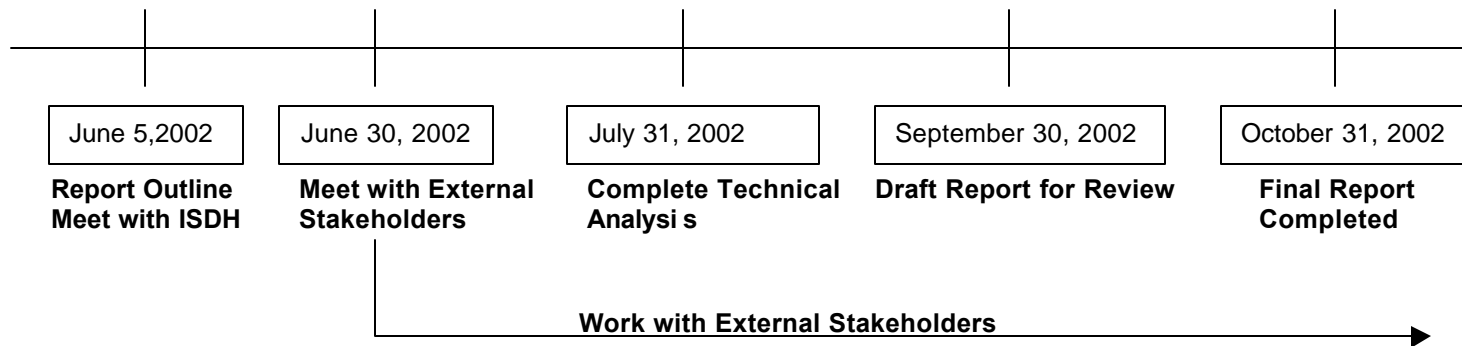
SEA 259 Report Outline

General – The 5 Year HAP Strategy should be developed for electronic publication (web) with the text of the document [Sections I – VII] printed for submission to the Legislative Services Agency. The text should be summary with links provided to appropriate web pages.

5 Year HAP Strategy Outline

- I Purpose + Scope**
 - II Background**
 - Federal Program
 - MACT
 - Risk-based
 - Indiana's Program
 - III Air Toxics in Indiana *[What we know]***
 - Emissions [summary tables]
 - Air Quality [summary tables]
 - IV Risk Assessment Efforts**
 - National efforts [residual risk, UATS, FACA]
 - Local efforts [national efforts, hot spots]
 - Data needs [available data – discuss each source, data uses, resources necessary to collect + assess] and how to address
 - V Areas, Sources, Pollutants of Concern [for further action/study]**
 - VI Top Ten Priorities to address potential health risks posed by HAP**
 - VII Conclusion**
- Appendices**
- A Legislation**
 - B Federal MACT Standards**
 - C Draft FACA Report**
 - D State Toxics Rules**
 - E Detailed Emissions Information**
 - F Detailed Air Monitoring Information**

SEA 259 Report Timeline



Possible Questions for Input

- What does currently available information allow us to conclude about potential risks from air toxics?
- What actions do these data suggest we should be taking over the next five years?
- What key pieces of information are not currently available to us that we consider necessary to assessing risk from air toxics?
- What sources of information should be considered to identify priorities and/or pollutants, sources or areas that require action or additional study?
- What criteria should be used to establish priorities or the list of pollutants, sources or areas to focus on?
- What tools, resources, or methodologies should be used to assess potential health risk from HAP?
- What alternatives are available to fill gaps in existing data necessary to assess potential health risk from HAP? Which is preferred?
- How do we establish a reasonable timeline for addressing the priorities identified in the plan?
- How does or should HAP monitoring factor into the 5-year strategy?

REPORT TO THE EQSC FROM THE EMISSION REPORTING WORKGROUP

May 2002

Introduction

This is a report of the Emissions Reporting Workgroup to the Environmental Quality Services Council on the activities of the workgroup with respect to its consideration of issues regarding the emissions reporting rulemaking.

Background

On April 12, 2001, the Air Pollution Control Board (APCB) preliminarily adopted amendments to the existing emissions reporting rule that required reporting specified hazardous air pollutants (HAP) and expanded the applicability to include federally enforceable state operating permits (FESOPs). There were significant comments by numerous stakeholders at the public hearing. In the summer of 2001, IDEM continued to work with stakeholders in small groups and at a broad based public meeting to discuss how to achieve the goals of the rulemaking while minimizing the burden on the regulated community.

At the October 30, 2001, Environmental Quality Service Council (EQSC) meeting, IDEM Assistant Commissioner Janet McCabe and other interested parties made presentations on the rule that was preliminarily adopted by the APCB. The EQSC recommended that IDEM establish a workgroup to consider issues raised as a result of the proposed rule. The workgroup would include representatives from the regulated community, environmental organizations, the Indiana Department of Commerce and the Indiana State Department of Health (ISDH). The workgroup would complete its work and submit a report to the EQSC by May 2002.¹

The workgroup members were as follows:

- Phil Stevens, SPEA Professor and Air Pollution Control Board member representing the general public
- Tom Neltner, Improving Kids' Environment
- Dick van Frank, Audubon Society
- Bernie Paul, Eli Lilly, representing the Indiana Manufacturers Association and the Indiana Chamber of Commerce
- Tena Jennings/Mike Brown, Cinergy/AEP, representing the Indiana Electric Utility Air Work Group
- Robert Teclaw/LaNetta Alexander, Indiana State Department of Health
- Michaela Kendall, Indiana Department of Commerce

¹ During its 2002 session, the General Assembly enacted S.E.A. 259, which allows the APCB to adopt new rules to require sources to report HAP emissions, provided the reporting does not begin before January 1, 2004. In addition, the bill requires the EQSC to develop a plan for creating and funding a HAP monitoring system and consider methods for IDEM to request, receive and communicate to the public information about HAP releases. The bill also requires IDEM and ISDH to develop a five-year strategy, with an inventory of HAP emissions, an assessment of current data and data needs, an identification of HAP that require further study, and a list of top ten priorities to address HAP risks. This report is to be completed by November 1, 2002.

A notice of the first meeting of the workgroup, which was held January 16, 2002, was mailed to over 100 interested parties. This initial notice also included a draft agenda, key issues, and a list of workgroup invitees. Additional workgroup meetings were held on February 20, March 20 and April 23, 2002. (Meeting agendas and notes from first three meetings in Appendix A) All meetings were widely publicized and open to the public.

Identification of Issues

At the first workgroup meeting, Ms. McCabe began the discussion by setting forth the goals and objectives of the rulemaking. IDEM's objectives for obtaining good information about HAP emissions are to:

- develop effective and appropriate programs to reduce cancer and other health risks;
- track effectiveness of programs and identify compliance issues;
- evaluate potential increased public health impacts from proposed new or expanding companies;
- inform the public about sources of HAP in their community;
- identify sources of monitored HAP;
- develop good air quality models; and
- improve national inventories of HAP emissions.

Existing sources of HAP emissions information are:

- data reported to US EPA's Toxic Release Inventory (TRI),
- data voluntarily reported to the state,
- IDEM estimates based on employment and census data, and derived from US EPA models for mobile sources
- HAP monitoring data collected as part of IDEM's ToxWatch study.

Despite this information, there are significant gaps in the available HAP information. There are monitors for toxic pollutants in relatively few Indiana cities, towns, and rural areas. Even where monitors are located, the list of pollutants monitored is limited. There is limited actual HAP emissions information for businesses and business activities not subject to TRI (for example, 40% of Title V sources do not report to TRI). There is limited stack or process level emissions information. There is limited information from small businesses like dry cleaners, gas stations, and other neighborhood businesses.

The primary agenda item for the first meeting was to identify the key policy issues that the workgroup would address. The workgroup determined they were:

- 1) alternative ways to achieve the goals of the rule,
- 2) costs associated with the rule,
- 3) what HAP should be reported, and
- 4) what reporting level is appropriate.

These issues were discussed in order at the four meetings of the workgroup.

Discussion of Issues

1) Alternative Approaches for Addressing HAP Emissions Data Needs

Issue: are there alternative ways to achieve the goals of the rule?

Discussion

The workgroup identified the following methods to collect HAP information:

- The proposed emissions reporting rule.
- General authority to request targeted HAP emissions information.
- Voluntary HAP reporting through annual emissions reporting.
- Voluntary HAP reporting through a targeted request.
- U.S. EPA's Toxic Release Inventory (TRI)
- U.S. EPA National Toxics Inventory database
- Great Lakes Commissions Regional Air Pollutant Inventory Development System (RAPIDS) database
- Stack Tests
- Increased ambient HAP monitoring
- Air quality modeling
- Health data

The workgroup discussed the advantages and disadvantages of each method. This discussion led to a discussion of the goals of HAP emissions reporting. The goals of the proposed rule were not clear to all workgroup members. The workgroup suggested that IDEM outline its goals for emissions reporting, identify the information gaps, and show how the emissions reporting rule would close the gaps and meet the goals. In response, IDEM presented a list of goals articulated during the rulemaking and a chart showing how various aspects of the emissions reporting rule met those goals, as follows:

HAP Reporting Concept Paper [March 18, 2002]

Purpose – to identify current HAP emissions data gaps/issues for each goal and how HAP emissions reporting would address these gaps/issues.

Goal #1 – Public Information	Goal #2 - Health or Risk-Based Assessments	
<p>TRI = most public information needs</p> <p>Instances where it may not:</p> <ul style="list-style-type: none"> source of concern may not be required to report under TRI pollutant of concern may be below TRI reporting levels (e.g., benzene) does not provide the public with a means to request additional emission information from sources of concern 280 of 756 Title V sources DO NOT report to TRI (37%) 	<p>Insufficient data for screening or assessments</p> <ul style="list-style-type: none"> 280 of 756 Title V sources DO NOT report to TRI (37%) pollutant of concern may be below TRI reporting levels (e.g., benzene) source of concern may not be required to report under TRI IDEM does not have the authority to request HAP release information from sources of concern <p>Available data may not be at sufficient level of detail for refined analysis</p>	<p>Concerns about quality of TRI data</p> <p>Insufficient data for screening or assessments including:</p> <ul style="list-style-type: none"> Regional and national assessments Residual risk after MACT Identifying sources or pollutants not addressed by MACT
		<p>Goal #3 – Address identified public health threats</p>
		<ul style="list-style-type: none"> Same as goals #1 and #2

How the HAP Reporting Proposal Addresses Current HAP Emissions Data Gaps/Issues

Goal #1 - Public Information	Goal #2 - Health or Risk-Based Assessments	
<p>Would provide information to supplement TRI, especially for sources or pollutants not covered by TRI.</p> <p>Would provide the public with additional information for 58 HAP of most concern in Indiana (and important from a national perspective), and would allow IDEM to provide the public with a better apportionment of contributing sources.</p> <p>Would provide authority to request additional HAP emission information, as needed, to address the following types of information needs:</p> <ul style="list-style-type: none"> public request health department request 	<p>Would provide data from sources not currently reporting under TRI.</p> <p>Would provide data for pollutants not currently reported under TRI.</p> <p>Would provide more complete plant or process-level information for emissions of 58 HAP of most concern in Indiana (and important from a national perspective).</p> <p>Would provide more complete and accurate information necessary for screening and assessments including:</p> <ul style="list-style-type: none"> regional and national assessments residual risk after MACT identifying sources or pollutants not addressed by MACT 	<p>Would provide authority to request additional HAP emission information, as needed, to further assess health or risk-based concerns.</p> <p>Goal #3 – Address identified public health threats</p> <ul style="list-style-type: none"> Same as goals #1 and #2

Mr. Paul presented alternative approaches for addressing HAP emissions data needs and how those alternatives would close the data gaps, as follows:

- more monitoring,
- giving IDEM the authority to request site-specific data,
- reporting the presence, but not the quantity, of pollutants,
- reporting pollutants site-wide in ranges,
- reporting by emission point in ranges,
- reporting site wide totals, and
- reporting actual emissions by point.

Each succeeding option provides more information at a higher cost. (Appendix B)

Summary

Business representatives questioned the need for a comprehensive reporting rule that requires regular reporting of process level data. It is the highest cost option, and it was questioned whether IDEM would use all the data. Mr. Paul suggested that TRI data, screening tools and site-specific data requests would meet IDEM goals.

Mr. Neltner suggested that TRI data could meet a lot of IDEM's information needs if IDEM could obtain the underlying documentation (this authority would have to be provided to IDEM by rule).

Dr. Stevens supports the idea of process level HAP reporting, and keeping FESOP sources in the rule. This level of detail is important for public information and for research purposes.

IDEM agreed with the inclusion in the rule of authority to make targeted information requests for HAP emissions, but stated that limiting the rule to this authority would not allow IDEM to meet all the goals of the rule. Obtaining HAP information through specific requests could be slow and inefficient, and the requests could be subject to legal challenge. Also, TRI data are not designed for air quality modeling.

2) Costs of the Proposed Rule

Issue: what are the potential costs associated with the proposed rule?

Discussion

IDEM presented a draft fiscal impact analysis of the proposed rule for discussion. (Appendix C) Sources of information reviewed to develop the cost estimates of HAP reporting include: 1) U.S. EPA cost estimates for TRI reporting of persistent bioaccumulative toxic chemicals, 2) U.S. EPA cost estimates for the proposed consolidated emission reporting rule

(CERR); and 3) the Wisconsin fiscal impact on state and local entities for its HAP reporting rule. Additionally, IDEM surveyed Indiana consultants and companies that voluntarily report HAP.

Noting the many uncertainties inherent in estimating these types of costs, IDEM estimated cost ranges for HAP emissions reporting under the proposed rule of \$125 to \$2500 per source, depending on the methodology used. IDEM also estimated the cost of HAP emissions reporting for all reporting sources in the first year based on U.S. EPA's methodology to be \$379,867 to 676,532 for 776 sources, with a 10% recurring annual cost.

Comments on IDEM's draft document included:

- Compiling a TRI report is easier than providing emission information under the proposed rule.
- Cost associated with TRI reporting should not be doublecounted with costs to report under the proposed rule.
- Effort expended to complete TRI forms may not carry over to the state rule.
- TRI is plant wide and the state rule is per process.
- Estimated hours to complete a TRI form is more accurate than the estimated time in the Office of Management and Budget (OMB) analysis for the CERR.
- The OMB analysis assumed that most of the information requested is contained in Title V applications.
- IDEM's survey of consultants does not include the considerable time spent by a company to provide information for the consultant to compile an emission inventory report.
- Start up costs will be different than ongoing costs and should be separated and will be different for facilities that currently report emissions to TRI and those who do not.
- The rule as proposed did not allow grouping of similar emission units, although cost estimates reflect grouping, and the utility estimate does not include such things as training, explaining emissions to the public, or other hidden costs.

Mr. Paul presented information about the costs of the proposed rule based on the time to complete eight different work elements. (Appendix D) His conclusion was that the proposed rule would require 5 to 10 hours per year per emission point. He estimated costs for small to complex facilities to be \$3000 to \$100,000 per source. Mr. Paul estimated total costs to be \$9,675,000 based on 1500 sources reporting (more sources than IDEM assumed). Mr. Paul also presented the results of a survey of eleven companies whose estimated annual costs for HAP reporting would range from \$0 (sources that are already reporting HAP) to \$18,625.

Mr. Brown presented information on behalf of the Indiana Electric Utility Air Work Group that utilities would spend an additional 30 hours per emissions point per year to report HAP, at a total annual cost of \$390,600 for the 217 emission units owned or operated by Work Group members. (Appendix E)

Mr. Van Frank stated that the workgroup should not lose sight of the benefits of the rule

as the costs of the rule are discussed.

Other interested parties submitted written comments to IDEM about the cost of HAP reporting as well. (Appendix F)

Summary

The cost estimates range widely due to different assumptions about the time and resources it would take to establish a system to collect and report the data and the availability of emission factors and other estimation methods. Individual source costs are dependent upon a variety of factors such as the number of emission points, the number of HAP emitted, the extent to which a source already collects such data, and the availability of estimation methods for the HAP emitted. IDEM's draft fiscal impact analysis was based on the proposed rule, and there are many options to reduce the reporting burden and corresponding cost.

IDEM will revise the fiscal impact analysis to take into account revisions to the rule prior to presenting it to the board for final adoption.

3) What HAP Should Sources Report

Issue: what HAP should the rule require sources to report?

Discussion

The workgroup reviewed the HAP list from the proposed rule and the reasons why those HAP were chosen from the Clean Air Act list of 188 HAP. Also, the workgroup discussed the distribution of those HAP among point, area, and mobile sources as estimated in the 1998 Regional Air Pollutant Inventory Development System (RAPIDS). (Appendix G) The questions, comments and observations about the RAPIDS data include:

- If more than 99% of a chemical's emissions are from mobile sources, should it be reported by point sources?
- For some HAP, the percentage for point sources may be small, but total volume large.
- If there is a small group of sources that emits most of the volume of a specific HAP, the chemical should be taken off the reporting list.
- Percentages of emissions and toxicity should be considered by source type.
- IDEM should request information on a particular chemical from sources that may emit most of the releases.
- Maybe not all companies should report all 58 HAP.

Additional comments about the list of pollutants were the sufficiency of TRI and the lack of emission factors. IDEM stated that the agency could provide guidance on emission factors and adjust the certification language in the reporting rule to reflect the degree of uncertainty in the estimation process. The workgroup reviewed a handout summarizing the pollutants and reporting levels from other state rules. (Appendix H) Another idea presented was for IDEM to have the authority to request information on a broader list of pollutants.

Summary

The workgroup did not reach any conclusions on HAP that should be removed or added to the rule. IDEM will review the list again in light of the workgroup's comments to see if any HAP should be removed from the broad reporting requirement and obtained by specific information requests only.

4) What Reporting Level Is Appropriate

Issue: To what level should sources report HAP under the rule?

Discussion

The workgroup discussed the level to which a pollutant must be reported. IDEM presented a summary of suggestions made by stakeholders to date. (Appendix I) Mr. Neltner set forth a possible tiering system for discussion as follows:

Threshold	Type of Pollutant ²			
	PBT	UATS	Others	High Volume TRI
	2 lbs.	50 lbs.	250 lbs.	500 lbs.

Other comments included:

- Consider setting a higher threshold for rural emissions (e.g., multiply above thresholds by 5 for rural areas) since rural areas have a lower density of industrial sources.
- Toxicity of all kinds, not just carcinogenicity, should be criteria for lower thresholds.
- If a significant percentage of a HAP is emitted by mobile and area sources, the HAP should have a higher threshold.
- With respect to the proposed rule's 20 lbs. threshold, large volumes of air running continuously may exceed thresholds of 20 lbs.
- TRI allows deduction of background concentrations.
- The reporting levels could be the levels that must be included on a MSDS.
- Any time you require reporting below 1 or 2 tons, significant resources will be necessary to identify and quantify emissions from industrial processes. At that point, there is not that much difference between reporting 20 lbs. and reporting 100 lbs.
- Use EPA's health benchmarks to draw lines between the tiers.
- FESOPs should be required to report HAP emissions initially, but could drop out of the rule if emissions don't change significantly over time.
- Trace contaminants are still a big loophole in TRI.
- Reporting levels should be in units no less than one ton as a minimum.
- It would be better to have higher thresholds and have FESOPs report than lower thresholds and no FESOP reporting.

² PBT - Persistent Bioaccumulative Toxic; UATS - Clean Air Act Urban Air Toxics Strategy pollutant; Others - to be determined; High Volume TRI - Air toxic reported in high volume to Indiana's portion of the U.S. EPA Toxics Release Inventory.

- The reporting threshold for the “Other “ category should be 1000 lbs.
- The value of reporting is in knowing what major sources are emitting, rather than in all the detail of process level reporting. If you know what major sources are reporting, then you can ask for more specific information.
- The problem with the authority for IDEM to ask for more specific information is the lack of political will over time to do so.

The workgroup members also wanted to get an idea of what authority IDEM would need to make targeted or site-specific information requests. IDEM presented a handout with examples of the circumstances in which it might request information, the type of information that it might request and the compliance times, depending on the type of information requested. (Appendix J)

Summary

There was general support for some form of tiering with respect to reporting thresholds. Business representatives supported higher thresholds and no process level reporting. Environmental representatives supported higher thresholds if FESOPs are required to report HAP emissions. Dr. Stevens and Mr. Neltner maintained support for FESOP reporting and Dr. Stevens for process level reporting. All supported the inclusion in the rule of authority for IDEM to request site-specific or targeted HAP information.

IDEM will consider all of the comments in drafting a new version of the rule for consideration.

Next Steps

At the last meeting of the workgroup, Ms. McCabe thanked workgroup members for their participation and suggestions. In the coming months, IDEM will further develop the ideas generated by these discussions for consideration by all interested parties and will provide further opportunities for public comment and input. This work will proceed simultaneously with the development of a five-year strategy for reducing HAP risks as required by S.E.A. 259.